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Financing of the United Nations Mission in Sierra Leone

Financing of the United Nations Mission in Sierra Leone

Report of the Secretary-General

Summary

The present report provides details on the final disposition of the assets of the United Nations Mission in Sierra Leone (UNAMSIL). The Mission's assets, with a total inventory value of $61,909,000, were disposed of as at 31 December 2007. The disposition of the assets for the period ending 31 December 2007 has been undertaken in accordance with United Nations financial regulation 5.14.

Summary of the disposition of the assets of the United Nations Mission in Sierra Leone as at 31 December 2007

(Thousands of United States dollars)

Category	*Inventory value*	*Percentage*
Group I: transferred to other missions or for temporary storage at the United Nations Logistics Base at Brindisi, Italy	37 722.7	60.9
Group II: disposed of in the Mission area		
Sold	12 688.5	20.5
Donated to the Government of Sierra Leone	8 333.6	13.5
Group III: written off/lost	3 164.2	5.1
Total	**61 909.0**	**100.0**

The action to be taken by the General Assembly, as set out in paragraph 11 below, is to take note of the present report on the final disposition of the assets of UNAMSIL.

08-27913 (E) 040408

I. Introduction

1. The mandate of the United Nations Mission in Sierra Leone (UNAMSIL) was established by the Security Council in its resolution 1270 (1999) and was adjusted and extended by the Council in subsequent resolutions, the last of which was resolution 1610 (2005), by which it extended the mandate of the Mission for a final period of six months, until 31 December 2005.

2. While the majority of the liquidation activity occurred during the 2005/06 financial period, the final disposition of the assets of UNAMSIL was still ongoing in 2007. A progress report dated 22 March 2007 (A/61/819) was therefore submitted to the General Assembly at its sixty-first session, covering the disposition of the assets of the Mission for the period ended 30 June 2006, with a total inventory value of $61,622,700. On the basis of the recommendation of the Advisory Committee on Administrative and Budgetary Questions contained in its report of 17 April 2007 (A/61/852/Add.5), the General Assembly, in its resolution 61/288, took note of the progress report of the Secretary-General on the disposition of the assets.

3. The present report provides the details of the final disposition of the assets of UNAMSIL as at 31 December 2007, which has been undertaken in accordance with United Nations financial regulation 5.14.

4. Upon completion of the mandate of UNAMSIL on 31 December 2005 and, pursuant to Security Council resolution 1620 (2005), the establishment of a follow-on special political mission — the United Nations Integrated Office in Sierra Leone (UNIOSIL) — since 1 January 2006, UNAMSIL assets with a total inventory value of $21,447,700 have been transferred to UNIOSIL, with action on their disposition, including any further donation to the Government of Sierra Leone, to be taken upon completion of the mandate of UNIOSIL.

II. Classification and disposition of the assets of the United Nations Mission in Sierra Leone

5. The process of liquidating the assets of UNAMSIL was guided by the following principles and policies contained in United Nations financial regulation 5.14:

(a) Equipment in good condition that conforms to established standardization or is considered compatible with existing equipment will be redeployed to other peacekeeping operations or will be placed in reserve to form start-up kits for use by future missions;

(b) Equipment not required for current or future peacekeeping operations may be redeployed to other United Nations activities funded from assessed contributions, provided that there is a demonstrated need for the equipment;

(c) Equipment not required for current or future peacekeeping operations or other United Nations activities funded from assessed contributions but that may be useful for the operations of other United Nations agencies, international organizations or non-governmental organizations (NGOs) will be sold to such agencies or organizations;

(d) Any equipment or property not required, or that it is not feasible to dispose of in accordance with subparagraphs (a), (b) or (c) above, or that is in poor condition, will be subject to commercial disposal in accordance with the procedures applicable to other United Nations equipment or property;

(e) Any assets that have been installed in a country and the dismantlement of which would set back the rehabilitation of that country shall be provided to the duly recognized Government of that country in return for compensation in a form to be agreed by the Organization and the Government. This refers in particular to airfield installations and equipment, buildings, bridges and mine-clearing equipment. Where such assets cannot be disposed of in this manner or otherwise, they will be contributed free of charge to the Government of the country concerned. Such contributions require the prior approval of the General Assembly.

6. The assets of UNAMSIL, with a total inventory value, as at 31 December 2007, of $61,909,000 have been grouped into 17 categories: accommodation equipment, air traffic-control equipment, communications equipment, data-processing equipment, generators, marine equipment, medical equipment, mine-clearing equipment, miscellaneous equipment, observation equipment, office equipment, petrol tank plus metering equipment, prefabricated buildings, refrigeration equipment, vehicular equipment, water and septic tanks, and water purification equipment.

7. In accordance with the principles and policies recalled in paragraph 5 above, the assets of UNAMSIL have been placed into three groups (see table 1).

Table 1
Summary of the final disposition of assets of the United Nations Mission in Sierra Leone
(Thousands of United States dollars)

Category	*Inventory value*	*Percentage*
Group I: transferred to other missions or for temporary storage at the United Nations Logistics Base at Brindisi, Italy	37 722.7	60.9
Group II: disposed of in the Mission area		
Sold	12 688.5	20.5
Donated to the Government of Sierra Leone	8 333.6	13.5
Group III: written off/lost		
Written off	2 643.8	4.3
Lost	520.4	0.8
Total	**61 909.0**	**100**

8. Group I includes assets identified as meeting the requirements of peacekeeping operations or United Nations activities funded from assessed contributions. The items in this group, with an inventory value of $37,722,700 (60.9 per cent of total asset value), have been transferred to UNIOSIL or other United Nations missions, or to the United Nations Logistics Base at Brindisi, Italy, for temporary storage pending future use.

9. Group II includes assets disposed of locally with an inventory value of $21,022,100, representing 34.0 per cent of the total inventory value. It consists of assets donated to the Government of Sierra Leone with an inventory value of $8,333,600 and a corresponding residual value of $3,035,800. Assets with an inventory value of $12,688,500 and a corresponding residual value of $4,559,600 were sold to United Nations agencies, international organizations and NGOs, as well as to private companies and individuals on the basis of competitive bidding. The amount of $2,334,800, representing the proceeds of the sale, was credited as miscellaneous income to the UNAMSIL special account (see table 2).

Table 2
Sale of assets of the United Nation Mission in Sierra Leone
(Thousands of United States dollars)

Sold to	*Inventory value*	*Residual value*	*Sale value*
Private companies and individuals	10 565.8	3 815.5	1 590.7
United Nations agencies	1 150.7	319.4	319.4
International organizations	965.5	421.5	421.5
NGOs	6.5	3.2	3.2
Total	**12 688.5**	**4 559.6**	**2 334.8**

10. The inventory value of assets in group III totals $3,164,200, representing 5.1 per cent of the total asset inventory value and a corresponding residual value of $1,273,200. These assets have been written off mainly as a result of accidents, damage caused by the elements, obsolescence, normal wear and tear, uneconomical prospects for repair and loss (see table 3).

Table 3
Written-off United Nations property reported by the United Nations Mission in Sierra Leone
(Thousands of United States dollars)

Category	*Inventory value*	*Residual value*
Accident, damage and faulty equipment	182.2	76.8
Lost or stolen equipment	520.4	197.6
Normal wear and tear and regular life-cycle activity	1 747.2	717.5
Obsolescence	168.1	57.5
Uneconomical to repair	391.9	160.2
Other[a]	154.4	63.6
Total	**3 164.2**	**1 273.2**

[a] Transferred to other United Nations missions, but the receiving missions could not confirm receipt.

III. Action to be taken by the General Assembly

11. **The action to be taken by the General Assembly is to take note of the present report on the final disposition of the assets of UNAMSIL.**

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Sixty-second session
Agenda item 140
Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Updated financial position of closed peacekeeping missions as at 30 June 2007

Report of the Secretary-General

Summary

The present report provides information on the updated financial position of 20 closed peacekeeping missions as at 30 June 2007. The action to be taken by the General Assembly is set out in paragraph 10.

08-27870 (E) 100408

I. Introduction

1. The present report provides updated information on the financial position of the following closed peacekeeping missions for which final performance reports have already been issued: the Military Observer Group of the United Nations Verification Mission in Guatemala (MINUGUA); the United Nations Mission in the Central African Republic (MINURCA); the United Nations Observer Group in Central America (ONUCA) and the United Nations Observer Mission in El Salvador (ONUSAL); the United Nations Operation in Mozambique (ONUMOZ); the United Nations Angola Verification Mission (UNAVEM) and the United Nations Observer Mission in Angola (MONUA); the United Nations Iran-Iraq Military Observer Group (UNIIMOG) and the United Nations Iraq-Kuwait Observation Mission (UNIKOM); the United Nations Mission in Bosnia and Herzegovina (UNMIBH); the United Nations Mission in Haiti (UNMIH); the United Nations Military Liaison Team in Cambodia (UNMLT); the United Nations Mission of Observers in Tajikistan (UNMOT); the United Nations Observer Mission in Liberia (UNOMIL); the United Nations Observer Mission Uganda-Rwanda (UNOMUR) and the United Nations Assistance Mission for Rwanda (UNAMIR); the United Nations Operation in Somalia (UNOSOM); the United Nations Peace Forces (UNPF); the United Nations Preventive Deployment Force (UNPREDEP); the United Nations Support Mission in Haiti (UNSMIH), the United Nations Transition Mission in Haiti (UNTMIH) and the United Nations Civilian Police Mission in Haiti (MIPONUH); the United Nations Transitional Authority in Cambodia (UNTAC); the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the Civilian Police Support Group; and the United Nations Transition Assistance Group (UNTAG).

2. As at 30 June 2007, 15 of the 20 peacekeeping missions covered in the present report reflected cash surpluses available for credit to Member States totalling $181,776,000 as set out in table 1.

Table 1

Consolidated cash position of ONUCA/ONUSAL, ONUMOZ, UNAVEM/MONUA, UNIIMOG, UNIKOM, UNMIBH, UNMIH, UNMLT, UNMOT, UNOMIL, UNOMUR/UNAMIR, UNPF, UNPREDEP, UNTAES/Civilian Police Support Group and UNTAG as at 30 June 2007

(Thousands of United States dollars)

Category	*Amount*
Cash assets	326 049
Less: amount to be returned to Member States[a]	43 750
Less: other liabilities	100 523
Cash available for credit to Member States as at 30 June 2007	**181 776**

[a] Amounts represent the respective share of Member States in the cash balance of UNPF and UNMIH as at 30 June 2002 that remain outstanding pending receipt of their assessed contributions for the funding of the strategic deployment stocks (see General Assembly resolution 56/292).

3. The composition of the net cash balance of $181,776,000 is broken down by mission in table 2.

Table 2
Closed peacekeeping missions with cash balances as at 30 June 2007
(Thousands of United States dollars)

Mission	*Amount*
ONUCA/ONUSAL	1 607
ONUMOZ	545
UNAVEM/MONUA	20 698
UNIIMOG	4 698
UNIKOM	2 856
UNMIBH	13 181
UNMIH	18 374
UNMLT	140
UNMOT	2 702
UNOMIL	4 388
UNOMUR/UNAMIR	23 946
UNPF	62 034
UNPREDEP	9 696
UNTAES/Civilian Police Support Group	12 827
UNTAG	4 084
Total	**181 776**

4. The amount of $181,776,000 shown in tables 1 and 2 is net of loans totalling $18,316,000 owed by two closed peacekeeping missions ($9,366,000 by UNSMIH/UNTMIH/MIPONUH and $3,450,000 by MINURCA) and by MINURSO ($5,500,000), which remained unpaid as at 30 June 2007.

5. Five of the 20 peacekeeping missions covered in the present report reflected cash deficits totalling $88,036,000 as at 30 June 2007 owing to outstanding payments of assessed contributions, as shown in table 3.

Table 3
Consolidated cash position of the MINUGUA Military Observer Group, MINURCA, UNOSOM, UNSMIH/UNTMIH/MIPONUH and UNTAC as at 30 June 2007
(Thousands of United States dollars)

Category	*Amount*
Cash assets	6 091
Less: liabilities	94 127
Operating deficit as at 30 June 2007	**(88 036)**

6. The liabilities include loans amounting to $25,636,000 owed to closed peacekeeping missions ($12,816,000) and to the Peacekeeping Reserve Fund ($12,820,000). The operating deficit of $88,036,000 is broken down by mission shown in table 4.

Table 4
Closed peacekeeping missions with cash deficits as at 30 June 2007
(Thousands of United States dollars)

Mission	*Amount*
MINUGUA Military Observer Group	(126)
MINURCA	(23 837)
UNOSOM	(16 525)
UNSMIH/UNTMIH/MIPONUH	(7 393)
UNTAC	(40 155)
Total	**(88 036)**

7. Information on unpaid assessments, accounts payable to Member States and other liabilities as at 30 June 2007 is shown in the annex to the present report.

8. As indicated in paragraph 3 above, as at 30 June 2007 there was a balance of some $181.8 million in cash available for credit to Member States from ONUCA/ONUSAL, ONUMOZ, UNAVEM/MONUA, UNIIMOG, UNIKOM, UNMIBH, UNMIH, UNMLT, UNMOT, UNOMIL, UNOMUR/UNAMIR, UNPF, UNPREDEP, UNTAES/Civilian Police Support Group and UNTAG. In his updated comprehensive report on the consolidation of peacekeeping accounts (A/62/726), the Secretary-General proposes that credits available as at 30 June 2008 in closed peacekeeping missions with cash surpluses be returned to Member States individually prior to consolidation. The Secretary-General also indicates that the consolidation of peacekeeping accounts as proposed would enable the payments in respect of certain liabilities in closed missions that are currently deferred due to lack of cash in their respective accounts. As stated in paragraph 6 above, as at 30 June 2007 there was a combined cash deficit of $88.0 million in the accounts of MINUGUA Military Observer Group, MINURCA, UNOSOM, UNSMIH/UNTMIH/MIPONUH and UNTAC. The cash deficits arose from liabilities of $94.1 million (comprising liabilities of $68.2 million to troop-contributing countries, $12.8 million to the Peacekeeping Reserve Fund, $12.8 million to closed missions with cash surpluses and $0.3 million in other liabilities to Member States and third parties), less cash of $6.1 million.

9. In his detailed report on investing in the United Nations for a stronger Organization worldwide: financial management practices (A/60/846/Add.3), the Secretary-General proposed to consolidate the various peacekeeping accounts retroactively, excluding those of the United Nations Emergency Fund (UNEF), the United Nations Operation in the Congo (ONUC), the Peacekeeping Reserve Fund and the strategic deployment stocks, effective 1 July 2007. In his updated comprehensive report on the consolidation of peacekeeping accounts (A/62/726), the Secretary-General continued to consider this consolidation framework to be the preferred approach and proposed to consolidate the various peacekeeping accounts

retroactively, effective 1 July 2008, excluding those of UNEF, ONUC, the Peacekeeping Reserve Fund and the strategic deployment stocks. In the light of the overall improvement in liquidity that would flow directly from the consolidation, the Secretary-General proposed that credits available as at 30 July 2008 in closed peacekeeping missions with cash surplus be returned to Member States individually prior to consolidation. This would result in a refund to those Member States that have fully paid their assessments in respect of those missions. The consolidation of peacekeeping accounts as proposed would also enable the payments in respect of certain liabilities in closed missions that are currently deferred due to lack of cash in their respective accounts.

II. Action to be taken by the General Assembly

10. **The action to be taken by the General Assembly, subject to the approval of the Secretary-General's proposal to consolidate the peacekeeping accounts effective 1 July 2008 in accordance with the framework outlined in his updated report on the consolidation of peacekeeping accounts (A/62/726), is to decide to return to Member States credits available as at 30 June 2008 in closed peacekeeping missions with cash surpluses.**

Annex

Closed peacekeeping missions: unpaid assessments, accounts payable to Member States and other liabilities as at 30 June 2007

(Thousands of United States dollars)

Mission	*Unpaid assessments*	*Accounts payable to member States*[a]	*Other liabilities*
MINUGUA	146	—	162
MINURCA	35 566	7 480	16 412
ONUCA/ONUSAL	2 062	3 507	—
ONUMOZ	16 912	1 201	—
UNAVEM/MONUA	35 356	8 320	1 687
UNIIMOG	18	—	—
UNIKOM	689	10 559	219
UNMIBH	35 250	6 486	157
UNMIH	102	14 626	—
UNMLT	10	107	—
UNMOT	12	2 407	—
UNOMIL	36	3 208	19
UNOMUR/UNAMIR	1 497	3 913	—
UNOSOM	58 555	19 741	—
UNPF	144 480	11 314	127 380
UNPREDEP	1 273	7 512	—
UNSMIH/UNTMIH/MIPONUH	19 426	114	9 366
UNTAC	41 197	40 839	13
UNTAES/Civilian Police Support Group	8 850	8 811	—
UNTAG	24	16 467	3
Total	**401 461**	**166 612**	**155 418**

[a] Inclusive of amounts owed to troop-contributing countries for contingent-owned equipment, as well as credits to Member States from unencumbered balances pending instructions on their disposition.

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Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Comprehensive report of conduct and discipline including full justification of all posts

Report of the Secretary-General*

Summary

The present report is submitted in response to the request by the General Assembly to the Secretary-General, in its resolution 61/276, section XVI, paragraph 6, for "a comprehensive report on the issue of conduct and discipline, including full justification of all posts, with staffing levels, functions and their impact on conduct and discipline". In its report, which was subsequently endorsed by the General Assembly in its resolution 59/300, the Special Committee on Peacekeeping Operations had delineated a comprehensive strategy to address issues of conduct and discipline in peacekeeping missions, particularly sexual exploitation and abuse, and mandated a range of measures and activities for implementation of the strategy. The present report identifies personnel functions that arose from the Comprehensive Strategy, reviews their performance by Conduct and Discipline Units in progressive implementation of the strategy, and describes the goals reached so far towards the objective of reducing and eliminating various forms of serious misconduct in peacekeeping missions, particularly sexual exploitation and abuse. Finally, on the basis of functions thus identified, proposals are made on post resources required for the ongoing implementation of the Comprehensive Strategy, and its continued operation in peacekeeping missions and at Headquarters.

* The document was delayed owing to additional technical and substantive consultations.

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I. Introduction

1. The Special Committee on Peacekeeping Operations at its resumed session in 2005 adopted the framework for a comprehensive strategy to address sexual exploitation and abuse and other forms of serious misconduct in peacekeeping missions, which is set out in its landmark report on the subject.[1] The strategy thus mandated sought to address and eliminate all forms of misconduct in peacekeeping missions, particularly sexual exploitation and abuse, by taking a broad spectrum of measures aimed at: enforcement action in cases where misconduct was reported to have occurred; provision of assistance to victims of sexual exploitation and abuse; and prevention of misconduct. In order to enable and facilitate efficient and effective action in relation to each of the three elements of the strategy, Member States have continued to show commitment to implementing "systemic changes", relating to the fundamental paradigm that governs such action.

2. As described in the Secretary-General's comprehensive report on sexual exploitation and abuse (A/60/862), the Conduct and Discipline Unit at Headquarters and in peacekeeping missions[2] have since their establishment in 2005 been the focal point in the Department of Peacekeeping Operations, the Department of Field Support and the missions for progressive implementation of the Comprehensive Strategy to address sexual exploitation and abuse.

3. The following paragraphs review the nature of the functions assigned to Conduct and Discipline Units, the extent to which the performance by Conduct and Discipline Units of these functions so far has assisted in the implementation of the mandated strategy, and elements of the strategy, implementation of which is currently under way. In addition, a set of recurrent, routine operational functions resulting from the Comprehensive Strategy is identified. The successful performance of these functions is dependent on the adequate provision of personnel capacity. The scope of the report also covers the five special political missions where there is a Conduct and Discipline Unit presence.[3]

II. United Nations standards of conduct

A. Sexual exploitation and abuse

4. In the broad context, the primary sources of United Nations standards of conduct are the Charter of the United Nations, and the Regulations and Rules enacted by the Organization, e.g., Staff Regulations and Staff Rules. Pursuant to General Assembly resolution 52/252, the Secretary-General promulgated his Bulletin ST/SGB/2002/13, thereby consolidating the provisions of primary sources

[1] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1).

[2] In the present report, "Conduct and Discipline Units" refers both to the Conduct and Discipline Unit at Headquarters and Conduct and Discipline Units in missions, while references exclusively to the latter are made as "mission Conduct and Discipline Units".

[3] The United Nations Integrated Office in Burundi (BINUB); the United Nations Assistance Mission in Afghanistan (UNAMA); the United Nations Assistance Mission for Iraq (UNAMI); the United Nations Mission in Nepal (UNMIN); and the United Nations Integrated Office in Sierra Leone (UNIOSIL).

on the "Status, basic rights and duties of United Nations staff members". From time to time, these standards of conduct are further elaborated by means of administrative issuances, for example, the standards of conduct relating to sexual exploitation and abuse were defined by means of the Secretary-General's Bulletin ST/SGB/2003/13 on "Special measures for protection from sexual exploitation and sexual abuse" ("the Bulletin"), which form part of the continuum of standards of conduct that the Organization has laid down for observance by its personnel. Although Conduct and Discipline Units were established in the immediate context of the problem of sexual exploitation and abuse, their role was to address all forms of serious misconduct in peacekeeping missions.

5. Insofar as the Bulletin is concerned, the functions performed by Conduct and Discipline Units have had two main aspects: first, systemic — relating to applicability of the standards to various categories of peacekeeping personnel; and second — operational, relating to interpretation of the standards in their application to particular reports of misconduct. In the light of the experience gained from the latter, a third set of functions of an operational character has taken shape, involving the need to review and elaborate on some of the Bulletin's standards.

Interpretation and implementation of the Bulletin's standards of conduct

6. One of the routine functions that Conduct and Discipline Units are called upon to perform relates to interpretation of the standards provided in the Bulletin in their application to prevention activities and individual cases. With the exception of the prohibitions on rape, sexual exploitation and abuse of children, and transactional sex, the experience gained from the application of the Bulletin's other general standards to particular cases serves to show the inherent complexity of the issues involved, e.g., the Bulletin's strong discouragement of sexual relations with beneficiaries of assistance. As the Bulletin is also applicable to United Nations funds and programmes, this subject is one of the elements of this year's workplan of the Task Force on protection from sexual exploitation and abuse of the Executive Committees on Humanitarian Affairs and Peace and Security. It is expected that results of these deliberations will require the development of operational guidance by the Conduct and Discipline Unit at Headquarters for mission Conduct and Discipline Units.

B. Other forms of misconduct

7. The Special Committee on Peacekeeping Operations, in paragraph 28 of its report, recommended that the capacity of the Department of Peacekeeping Operations/Department of Field Support to "address all cases of misconduct including sexual exploitation and abuse" should be strengthened, thus recognizing that the broader spectrum of the standards of conduct ought to be effectively enforced, and that, since various forms of misconduct are interconnected, the Organization had to take an integrated approach to address them. Acts of misconduct — no matter their form — unless effectively addressed, can have an insidious effect on institutional controls, resulting in an environment of permissiveness, including sexual exploitation and abuse.

8. Conduct and Discipline Officers in the field perform functions that are pivotal to this integrated approach, and their routine functions encompass all reports of misconduct.

9. A total of 803 (including 357 allegations of sexual exploitation and abuse) and 748 (including 127 allegations of sexual exploitation and abuse) allegations were received in 2006 and 2007, respectively, for all peacekeeping personnel. Annex I to the present report provides a breakdown of these statistics by type of offence. Annex II characterizes the various forms of misconduct that the numbers in annex I represent.

10. The classification of the diverse forms of misconduct into categories I and II does not necessarily reflect on the applicable disciplinary measures, or amount of institutional effort involved in their disposition. For example, the severest disciplinary measure of summary dismissal may be imposed on staff in cases involving petty fraud on entitlements, which is under category II.

11. The most prevalent forms of misconduct involving staff in missions concern fraud (including petty fraud), theft, harassment (including sexual), abuse of authority, mismanagement, misuse of the Organization's assets, and traffic-related violations. Significant forms of misconduct by uniformed peacekeeping personnel are harassment, assault, excessive use of force, unlawful discharge of weapon and traffic violations.

III. Enforcement of the United Nations standards of conduct and functions of Conduct and Discipline Units

12. The measures envisaged by the Comprehensive Strategy for enforcement action in response to reports of misconduct, particularly sexual exploitation and abuse, as described in the comprehensive report of the Secretary-General (A/60/862), derive from the general framework of the disciplinary process in the Organization for the various categories of personnel assigned to peacekeeping operations. As such, the Conduct and Discipline Unit functions are better reviewed by reference to the fundamental features of that framework: reporting; investigation; and evaluation of the findings of the investigation.

A. Disciplinary and criminal proceedings following breaches of United Nations standards of conduct

13. Different categories of peacekeeping personnel are subject to the Organization's disciplinary system to varying degrees, and misconduct contrary to the prohibitions of the Bulletin may concurrently constitute a criminal offence warranting institution of criminal proceedings.

14. While staff in peacekeeping missions are subject to the full range of disciplinary measures provided in Staff Regulations and Staff Rules, the Organization's ability to discipline United Nations police officers, members of formed police units, United Nations military observers and members of military contingents (troops), extends at the most to effecting their repatriation on disciplinary grounds — only their respective national authorities being competent to conduct full-fledged disciplinary proceedings. On the other hand, for all categories

of peacekeeping personnel, the Organization relies on Member States, e.g., host country or the country of nationality of the suspect, to conduct criminal proceedings for all offences committed by them while serving with the United Nations. The decision to refer a case to national authorities for a criminal investigation is taken in consultation with the Office of Legal Affairs.

15. In its report,[1] the Special Committee on Peacekeeping Operations mandated a range of activities to address these potential gaps in the accountability framework, and to bring about a "systemic" change in order to ensure accountability of all categories of peacekeeping personnel for, inter alia, sexual exploitation and abuse. Essentially, that range of activities sought to effect revisions to the model memorandum of understanding between the United Nations and troop-contributing countries so that troops — an overwhelming majority of peacekeeping personnel — should be held accountable through disciplinary as well as criminal proceedings, as appropriate, by the troop-contributing countries concerned. The activities also aimed to develop a legal framework enabling criminal prosecution, in addition to disciplinary measures imposed by the Organization, of the United Nations officials and experts on mission, in respect of criminal acts committed by them while serving in peacekeeping missions. In the peacekeeping context, international and local staff are the two main classes of personnel belonging to the category of "officials"; United Nations police, formed police units and United Nations military observers being experts on mission. In addition, the Special Committee also mandated activities to standardize norms of conduct applicable to all categories of peacekeeping personnel.

16. The Conduct and Discipline Unit at Headquarters has been the Department of Peacekeeping Operations/Department of Field Support focal point for the performance of functions arising from the mandated activities. Significant progress has been made in relation to these systemic aspects of the strategy for more effective enforcement of United Nations standards of conduct.

Disciplinary and criminal accountability of military contingent members

17. The finalization in 2007 of revisions to the model memorandum of understanding (see A/61/19 (Part III)) has enhanced the certainty of enforcement action in cases of wrongdoing on the part of military contingent members. As a result, a fundamental set of United Nations standards of conduct, including those on sexual exploitation and abuse, has been incorporated into the model memorandum of understanding, along with an undertaking on the part of the Governments of the troop-contributing countries concerned to bring the full force of their legal sanctions to bear upon enforcement of these standards. The Conduct and Discipline Unit at Headquarters was a critical resource in rendering assistance to legislative bodies in developing and drafting proposals for revisions in formal and informal consultation with other Secretariat components, and Member States.

18. The adoption of the revised memorandum of understanding has given rise to additional Conduct and Discipline Unit functions for its implementation, e.g., development, in conformity with the model memorandum of understanding, of operational policy and procedures on investigation of reports of misconduct involving members of military contingents, in consultation and coordination with Member States and investigative entities, in particular the Investigations Division of the Office of Internal Oversight Services.

Criminal accountability of United Nations officials and experts on mission

19. The Conduct and Discipline Unit at Headquarters similarly worked with the Group of Legal Experts, whose report (see A/60/980) was considered by the Ad Hoc Committee on Criminal Accountability of United Nations Officials and Experts on Mission set up by the General Assembly on the recommendation of the Sixth Committee.

B. Reports and records of misconduct

20. Effective enforcement of United Nations standards of conduct is contingent upon mechanisms for receiving and recording reports of breaches of such standards. The Bulletin imposed an obligation upon the "Head of Department, Office or Mission" to appoint an official at a sufficiently high level to serve as a focal point for receiving reports on cases of sexual exploitation and abuse.[4] In this regard, in accordance with their terms of reference, Conduct and Discipline Units serve as the central repository of reports of all forms of misconduct. Since their establishment, the mission Conduct and Discipline Units have, as a priority, developed mechanisms and missions' internal procedures to ensure that all previously responsible or receiving entities of allegations of misconduct, such as the Military Police, the Special Investigation Units of the Security Section and Mission Support, will forward such complaints to the Conduct and Discipline Unit. It has now resulted in the Conduct and Discipline Units being the sole recipients of all allegations of misconduct in the field, with the exception of allegations of misconduct and other complaints that may be directly reported to the Investigations Division of the Office of Internal Oversight Services in the field or at Headquarters, and of complaints that may be addressed through other mechanisms.

21. The Conduct and Discipline Unit at Headquarters is the corresponding central repository of all data relating to all allegations of misconduct in the field. A web-based file-storage mechanism called CyberArk has been developed, which allows users to securely store, transmit, receive and access documents on cases of misconduct. A new comprehensive misconduct tracking system is being finalized, which will allow both Headquarters and the field to share "in real time" consistent data and information on all types of allegations. It will also facilitate and streamline the updating of the database throughout the allegation "cycle" by allowing missions to input new information. Coordination with the Investigations Division of the Office of Internal Oversight Services to ensure compatibility and completeness of data is ongoing. The centralized maintenance of data on cases of misconduct provides the basis for quantitative and qualitative analyses of the various forms of misconduct, for the assessment of allocation of resources, and for the development of relevant strategies for preventing misconduct. Furthermore, it is an essential instrument for meeting the Secretariat's reporting obligations to legislative bodies.

[4] The Special Committee, in its report (A/59/19/Rev.1) requested the Secretary-General to establish a misconduct data-collection and management system; promulgation by the Secretary-General of whistle-blower policy and assignment of functions to the Ethics Office to administer that policy reflect the importance of the reporting stage to enforcement action

C. Investigation

22. Upon receipt of a report of misconduct, the available information must be assessed to determine whether a full-fledged investigation is warranted, and if so, to refer it in the context of missions, to the appropriate investigation mechanism (Investigations Division of the Office of Internal Oversight Services in accordance with General Assembly resolution 59/287, or other investigative entities at the mission level).

Initial assessment

23. Mission Conduct and Discipline Units are usually the first to receive allegations and it is their routine function to carry out the initial assessment of all types of reports of misconduct, on the basis of which they will categorize the allegations (category I or category II misconduct) and refer the matter for investigation, if warranted, to the appropriate investigative entity.

24. In cases where reports are general or in the form of rumours, mission Conduct and Discipline Units step up their monitoring activity of the areas associated with the reports, within the framework of their overall preventive activities.

25. A considerable number of reports of misconduct involving peacekeeping personnel received by the Office of Internal Oversight Services directly or from the Conduct and Discipline Units are referred back to missions. Such reports may contain allegations of mismanagement, irregularities and other forms of misconduct, with a request from the Office of Internal Oversight Services that the matter be addressed through appropriate action by the Department of Peacekeeping Operations/Department of Field Support and/or missions. It is the routine function of the Conduct and Discipline Unit at Headquarters to assess and implement appropriate investigative or managerial action in such cases.

26. With the recent approval of the revised memorandum of understanding, as referred to in paragraph 15 above, investigation procedures are changing substantively. Upon notification by the field of a case of serious misconduct, the Department of Field Support, through the Conduct and Discipline Unit at Headquarters and as appropriate, in consultation with the Office of Legal Affairs, will inform the Permanent Mission of the troop-contributing countries concerned, in order to ascertain whether the Government would depute a national investigating officer or team to investigate the case in cooperation with the Office of Internal Oversight Services. In the light of recent experience, this new requirement has considerably increased the quantum of the Conduct and Discipline Unit at Headquarters routine coordination and advisory activities between all parties involved.

Investigations other than those conducted by the Office of Internal Oversight Services

27. The mode of investigation used in relation to reports of misconduct not investigated by the Office of Internal Oversight Services is normally dictated by the category of personnel involved, i.e., a preliminary investigation conducted by the Special Investigation Units (for staff), United Nations police Internal Affairs Unit (for United Nations police officers and formed police units) or Provost Marshall (for military personnel).

28. Upon receipt of the investigation report, the Conduct and Discipline Units review the report and advise the head of mission on the appropriate action to be taken.[5] The recommendations of the head of mission are transmitted to the Department of Field Support for evaluation and follow-up, as explained below.

D. Evaluation of findings of investigations

Uniformed personnel

29. The findings of misconduct involving uniformed personnel are assessed by the relevant military or police supervisors in consultation with mission Conduct and Discipline Units. In cases of serious misconduct, the Conduct and Discipline Unit at Headquarters reviews the dossier, the procedures followed, the propriety of the findings, and the soundness of the resulting recommendations. The Permanent Mission of the concerned individual is notified of the outcome of the investigation by the Conduct and Discipline Unit at Headquarters, in consultation with the Police Division or the Office of Military Affairs and, as appropriate, the Office of Legal Affairs.

30. Where considered appropriate, the Department of Peacekeeping Operations/Department of Field Support through the Conduct and Discipline Unit at Headquarters, advises the mission concerned to repatriate the individual on disciplinary grounds, and enters the individual's name in the database, noting the reason for repatriation and that he or she will not be considered for further service in a peacekeeping mission. The Conduct and Discipline Unit at Headquarters communicates the decision to the concerned Permanent Mission and requests advice on action taken against the individual after repatriation.

Civilian personnel

31. In cases involving staff, the findings of investigations not conducted by the Office of Internal Oversight Services are assessed by the supervisors concerned at the mission level, in consultation with the Conduct and Discipline Units and, if the allegations are substantiated, the head of mission will recommend appropriate action, whether disciplinary or administrative, to the Department of Field Support.

32. Where findings against staff may warrant referral to the Office of Human Resources Management for institution of disciplinary proceedings, the Conduct and Discipline Unit at Headquarters reviews and assesses findings and conducts a substantive analysis of the investigation report and the recommendation made by the head of mission, as relevant, to determine if the case should be submitted for disciplinary action or sent back for administrative or managerial intervention.

33. The review function performed by the Conduct and Discipline Unit at Headquarters carries a substantial responsibility and must therefore be a comprehensive and accurate reflection of the Department of Peacekeeping Operations/Department of Field Support position. That process requires knowledge of previous cases to ensure consistency of recommendations.

[5] While a misconduct investigation involving staff is under way, the Conduct and Discipline Unit at Headquarters assesses the propriety of and coordinates (with the Office of Human Resources Management, Field Personnel Division, etc.) implementation of interim measures, i.e., placement of the subject of investigation on special leave with pay.

IV. Prevention of misconduct in peacekeeping missions, and functions of Conduct and Discipline Units

34. In positing the elimination of sexual exploitation and abuse and other forms of serious misconduct as the objective of the United Nations Comprehensive Strategy, the Special Committee on Peacekeeping Operations affirmed the paramount importance of preventing such misconduct. As such, Member States have taken positive measures, such as revision of the model memorandum of understanding, in order to strengthen enforcement mechanisms, not least because of their deterrent and, by implication, preventive impact. The preventive element of the strategy envisaged additional measures, in terms of training and raising the awareness of peacekeeping personnel, enhancement of welfare and recreation facilities, and an effective public information policy. Those measures also include outreach activities with the local authorities and communities. At the mission level, the Conduct and Discipline Units have been instrumental in advising heads of mission and other senior management on specific preventive measures to effectively combat sexual exploitation and abuse in their mission areas.

35. Conduct and Discipline Units are responsible for raising awareness of standards of conduct in peacekeeping missions. Target audiences fall into two categories: peacekeeping personnel and host country local communities. With the former, the approach has been based on the distinction between managers and commanders and the various categories of subordinate personnel deployed in peacekeeping operations. The awareness-raising activities with respect to local communities have sought to target local organizations, governmental and non-governmental, and media.

A. Peacekeeping personnel

Capacity-building activities of the Conduct and Discipline Unit at Headquarters

36. The Conduct and Discipline Unit at Headquarters contributes to capacity-building of peacekeeping personnel through development of training and awareness-raising material for use in orientation sessions on sexual exploitation and abuse, e.g., the Conduct and Discipline Unit website and generic training modules, to be used by personnel such as staff of Conduct and Discipline Units, Integrated Training Teams and focal points, and by commanders in military or formed police contingents. The Conduct and Discipline Unit at Headquarters in coordination with the Department of Peacekeeping Operations/Department of Field Support Integrated Training Service has produced standard modules on prevention of sexual exploitation and abuse, designed for all levels and categories of peacekeeping personnel. In addition, a documentary training video entitled "*To Serve with Pride: Zero Tolerance for Sexual Exploitation and Abuse*" was produced by the United Nations Development Programme in conjunction with the Department of Peacekeeping Operations, the United Nations Children's Fund and the Office for the Coordination of Humanitarian Affairs, and launched in December 2006.

Capacity-building activities of Conduct and Discipline Units

37. The implementation of preventive strategies for all forms of misconduct constitutes one of the priority tasks of mission Conduct and Discipline Units. They

undertake capacity-building and awareness-raising activities for all categories of peacekeeping personnel, including regular training through induction briefings and refresher courses. Since 2005, it has been mandatory for all mission personnel to receive training on sexual exploitation and abuse. Globally, close to 90 per cent of all United Nations personnel in missions have been directly or indirectly trained on sexual exploitation and abuse.

38. Conduct and Discipline Units have also developed a series of "train-the-trainer" workshops, in particular for military and formed police units. In September 2007, the Conduct and Discipline Unit/United Nations Organization Mission in the Democratic Republic of the Congo launched a comprehensive conduct and discipline curriculum in French during a "train-the-trainer" event.

Sensitization of mission managers

39. The sensitization of mission managers is at the core of implementing the strategy to combat sexual exploitation and abuse and other types of misconduct. The commitment and proactive involvement of the mission senior leadership is essential to convey the message of zero tolerance. The Department of Peacekeeping Operations and the Department of Field Support have made the responsibility and accountability of senior managers one of their priorities. To this end, training programmes for existing and prospective senior leadership of missions include a session on conduct and discipline and the role of managers, as role models, to achieve an environment free from all types of misconduct. Representatives of the Conduct and Discipline Unit at Headquarters routinely address Senior Mission Leaders' programmes organized by Peacekeeping Centres around the world. The Conduct and Discipline Unit at Headquarters also participates in the Department of Peacekeeping Operations Senior Leadership Induction Programmes.

B. Local communities in host countries

40. Mission Conduct and Discipline Units perform vital functions in raising awareness among local communities and the host public at large of standards of conduct and the Organization's zero-tolerance policy on sexual exploitation and abuse. For example, the Conduct and Discipline Unit/United Nations Mission in Liberia (UNMIL) collaborated with civil society and Liberian authorities as part of its effort to raise their awareness about the United Nations policy on sexual exploitation and abuse, undertaking awareness-raising activities with local non-governmental organizations, women, youth and church groups and traditional community leaders in four districts of Liberia. In June 2007 the Conduct and Discipline Unit/UNMIL held awareness-raising sessions for 492 individuals from communities living in proximity to UNMIL facilities.

Preventive measures at the mission level

41. Conduct and Discipline Units have assisted the heads of mission in discharging their responsibilities for conduct and discipline by advising them on the preventive measures being put in place to protect local communities. In this respect, mission-specific measures and instructions have been issued by heads of mission, force commanders or police commissioners, as appropriate, to ensure that standards of conduct are being adhered to. Some of the most common measures include

restriction of movement of personnel in out-of-bounds areas and after certain hours, the wearing of uniforms on and off duty, regulated and supervised recreational activities for uniformed personnel, etc. Furthermore, mission-specific codes of conduct have been developed and are posted in all mission locations. The signature of those codes of conduct by civiiian staff, United Nations military observers and United Nations police, as well as by consultants and contractor personnel may be seen as a step in the right direction in making these personnel accountable for their actions and behaviour. Adherence to the principles laid out in the Bulletin is mandated by the conditions of service of other categories of personnel, such as United Nations Volunteers.

42. Additionally, Conduct and Discipline Units have developed a network of sexual exploitation and abuse focal points in the mission or have outposted Conduct and Discipline Officers in the various areas of the mission, depending on availability of resources and workload. They are also conducting regular assessment visits in the various sectors and are developing a network of partners within the United Nations and non-governmental organization community.

43. The establishment of minimum standards of welfare and recreation for all categories of personnel is part of the prevention strategy approved by the Special Committee on Peacekeeping Operations. The Secretary-General's report on the subject (A/62/663) will be reviewed by the Special Committee at its 2008 session.

44. These various preventive measures have resulted in a heightened awareness within local communities and among all categories of peacekeeping personnel of United Nations police on sexual exploitation and abuse. This may account for the decrease in the number of allegations of sexual exploitation and abuse reported in the last year. Nevertheless, continued vigilance, prevention and monitoring by all parties concerned will remain a constant feature of any future effort to combat sexual exploitation and abuse in peacekeeping missions.

V. Remedial action and functions of Conduct and Discipline Units

Assistance to victims of sexual exploitation and abuse

45. By its resolution 62/214, the General Assembly adopted the United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel, under which victims would receive assistance to address their needs arising directly from the exploitation or abuse suffered. The Strategy focuses on facilitating assistance within existing services on the ground, which may include medical treatment, counselling, social support, legal services or material care. Victim support facilitators would assist victims in accessing existing services by informing them of what services are available.

46. The Conduct and Discipline Unit at Headquarters, through its participation in the Executive Committees on Humanitarian Affairs and Peace and Security Task Force, has been actively involved, in conjunction with representatives of other entities and partners, in assisting the work of legislative bodies on this fundamental element of the Comprehensive Strategy. In the field, mission Conduct and Discipline Units have so far acted as focal points for victim assistance, serving as

points of contact and referral for victims whose cases may sometimes involve issues of paternity, and support for children born of sexual exploitation and abuse. Conduct and Discipline Units would routinely refer such cases to local or international organizations dealing with such matters.

47. The future role of Conduct and Discipline Units needs to be defined within the parameters of the Strategy, the implementation modalities of which are currently on the agenda of the Executive Committees on Humanitarian Affairs and Peace and Security Task Force. As an integrated implementation mechanism will be developed at the country level, it is likely that in those countries where Conduct and Discipline Units are established, they will be heavily involved in the discussions and decisions, leading to the development and establishment of these mechanisms. It can be anticipated that the operational policy and procedures that will be determined by the Task Force will conceivably expand routine, victim assistance-related functions performed by Conduct and Discipline Units.

VI. Development of policies and procedures and functions of Conduct and Discipline Units

48. The development of policies and procedures pertaining to conduct and discipline takes place at different levels. Legislative bodies have adopted general statements of policy, such as the model memorandum of understanding, General Assembly resolution 62/214 on assistance to victims, the report of the Group of Legal Experts on standardization of norms of conduct (A/61/645), General Assembly resolution 62/63 on criminal accountability of the United Nations officials and experts on mission. Policy directives, standard operating procedures, manuals and guidelines developed at Headquarters, regulate and streamline important issues and activities concerning conduct and discipline. These are subsequently adapted, as appropriate, at the mission level by mission Conduct and Discipline Units. Other operational material is developed on the basis of actual practice at Headquarters or in the field, e.g., maintenance of misconduct data, assessment missions, guidance, etc.

49. While progress has been made in the development by the Conduct and Discipline Unit at Headquarters of the regulatory framework, new guidelines and Standard Operating Procedures are still required to address new policies that have recently been adopted and changes in the modalities of implementation of some existing processes.

50. A related set of functions concerns the reporting responsibilities of the Secretariat to legislative bodies on issues of conduct and discipline. Given the seriousness with which legislative bodies view the issue of sexual exploitation and abuse, they have exercised consistent oversight on the response of the Organization, requesting reports on different aspects of the problem. The Conduct and Discipline Unit at Headquarters contributes to the performance of those reporting responsibilities, thereby assisting continuing oversight by Member States.

VII. Post resources, staffing levels and functions of the conduct and discipline capacities at Headquarters and in the field

51. Sections III to VI of the present report address in detail functions of the Conduct and Discipline Unit of the Department of Field Support and Conduct and Discipline Units in the field related to the implementation of the United Nations Comprehensive Strategy related to issues of conduct and discipline in peacekeeping missions. In order to ensure implementation of the Strategy and of the Organization's "zero-tolerance" policy on sexual exploitation and abuse, there is a continued need for dedicated and ongoing core full-time capacities at Headquarters and in the field to address issues of conduct and discipline in peacekeeping missions. Those functions fall into three broad basic interrelated categories: advisory and policy development; case management; and preventive activities. While at the Secretariat level, the policy-related functions include support to legislative bodies in establishing the overall framework of the Organization's disciplinary policy, in the field those functions are of a more operational nature in the form of the development of mission-specific operational guidance material.

52. Both at Headquarters and in missions, case-related functions have two major aspects: substantive handling of individual cases, and maintenance of databases of reported cases. These databases provide the basis, inter alia, for conduct of a range of analyses enabling flexible, targeted use of resources in response to particular trends. In terms of preventive activities, mission Conduct and Discipline Units have a core responsibility to assist mission leadership to achieve the "zero tolerance" objective, through a variety of training programmes, briefings and outreach/awareness-raising programmes and coordination, as well as through regular assessment visits to outlying regions.

53. The above-mentioned categories of specific functions underpin the terms of reference of Conduct and Discipline Units as set out in the annexes to the Secretary-General's comprehensive report on sexual exploitation and abuse (A/60/862), and reflect the multifaceted role of Conduct and Discipline Units. Accordingly, the skill-types of individuals who staff Conduct and Discipline Units at Headquarters and in missions derive from these categories of functions and, apart from managerial staff, include policy officers, disciplinary officers, reports officers, training officers and support staff.

54. Annex III to the present report consolidates the staffing resources at Headquarters and in the field for the budget periods 2007-2008 and 2008-2009, for information purposes.

A. Conduct and Discipline Unit at Headquarters

55. As detailed in annex III to the present report, in the current financial year (2007-08), the Conduct and Discipline Unit at Headquarters staffing comprises nine posts (7 Professional posts and 2 General Service posts) and three general temporary assistance positions. The proposed staffing establishment of the Conduct and Discipline Unit at Headquarters envisages continued allocation of the present level of resources except for the elimination of one existing P-4 Policy Officer general temporary assistance position and the addition of two general temporary assistance positions at the P-3 level (1 Disciplinary Officer and 1 Programme Officer). These

proposed changes are addressed in the context of the proposed support account budget for 2008-2009.

56. The Chief of Conduct and Discipline Unit at Headquarters has managerial functions and oversees the Unit's operations. The Chief provides guidance, direction and supervision of staff. In addition to advising senior management of the Department of Peacekeeping Operations/Department of Field Support and senior leadership in the field on policies and strategies relating to conduct and discipline, as well as follow-up action on particularly sensitive cases, the Chief represents the Department of Peacekeeping Operations/Department of Field Support on disciplinary issues at the senior level in interdepartmental policymaking forums and legislative bodies; provides briefings on conduct and discipline issues to Member States and senior leadership; and is involved in media outreach. The Chief also performs vital functions in relation to sensitization of senior mission managers to the organizational policy on disciplinary matters. The post is classified at the D-1 level owing to: the substantive character of the managerial functions it involves; the inherent importance of issues of conduct and discipline; the nature and extent of internal and external liaison and coordination that the incumbent is routinely called upon to undertake at senior managerial levels.

57. The Senior Policy Adviser (P-5) serves as the deputy to the Chief and is responsible for: providing policy guidance and strategic direction on misconduct issues to the Conduct and Discipline Officers at Headquarters and in the field; assisting the chief in planning, management and implementation of the activities of the Unit; the development of systems, measures and mechanisms to prevent, identify and respond to misconduct by all categories of mission personnel; provision of technical guidance on disciplinary procedures; provision of substantive input for the preparation of reports and development of policies; and identification of lessons learned and best practices relating to the conduct of personnel.

58. The P-5 Senior Conduct and Discipline Officer reviews and drafts policies and procedures on conduct and discipline issues and consults with internal and external entities on implementation; ensures coherence between discipline-related policies, procedures and guidelines relating to all categories of peacekeeping personnel; monitors decisions of the Secretariat and of Member States affecting disciplinary issues relating to peacekeeping personnel. The P-5 Officer is also responsible for drafting inputs on disciplinary issues for reports to legislative bodies and provides expert briefings on conduct and discipline.

59. Disciplinary Officers (P-4 and P-3) perform functions that are substantially analytical, evaluative, conceptual and interpretative in individual cases at various stages of their disposition. They provide backstopping support to mission Conduct and Discipline Units, and routinely carry out extensive liaison work with Permanent Missions to the United Nations of various Member States in relation to individual cases of misconduct. Given their wide-ranging functions, and the skills and extent of experience required for their performance, the level of responsibility inherent in the performance of such functions justifies their classification at the P-4 level. The P-3 Disciplinary Officer performs similar functions in relation to cases that do not involve the most serious acts of misconduct.

60. The P-3 Programme Officer assists the Chief, the Senior Policy Adviser and the Senior Conduct and Discipline Officer in the implementation and follow-up of activities related to training and awareness-raising projects, the Comprehensive

Strategy for victim assistance, and coordination of the Executive Committees on Humanitarian Affairs and Peace and Security Task Force.

61. The Reports Officer (P-2) is the focal point in the Unit for maintaining the data management system for reports involving all categories of personnel, including reporting formats and a database. He or she produces narrative and statistical reports on all aspects of personnel misconduct, as required, and conducts analyses and related research on personnel conduct issues and maintains ongoing coordination with counterparts in mission Conduct and Discipline Units.

62. Two Administrative Assistants (General Service (Other level)) provide general administrative support to the Unit. Owing to the volume of allegations and investigations from field missions, there is a significant amount of filing, sorting and follow-up to correspondence.

63. One Administrative Assistant (General Service (Other level)) supports the P-2 Reports Officer in the maintenance of the database, in particular in the context of the introduction of the new data management tracking system and the subsequent migration of data from the old system to the new one.

B. Conduct and Discipline Units in peacekeeping missions

64. While the functions performed by field Conduct and Discipline Units in missions are largely a subset of those of the Conduct and Discipline Unit at Headquarters, there are significant differences of scale and emphasis between the two, as indicated in paragraphs 51 and 52 above. These differences are reflected in the missions' respective approaches to conduct and discipline functional requirements in their respective areas of deployment.

65. The total number of posts and general temporary assistance positions in missions depends to a large extent on the size of the mission and the risks of possible occurrence of misconduct. A risk assessment carried out for the African Union-United Nations Hybrid Operation in Darfur resulted in the approval by the General Assembly, in the context of the mission's proposed 2007/08 budget, of a decentralized structure of 27 posts and general temporary assistance positions for that mission alone owing to the identified high risk of sexual exploitation and abuse cases, in view of the presence of internally displaced persons, and the overall extreme poverty level.

66. In the current financial year (2007-08), the staffing allocated to mission Conduct and Discipline Units comprises 58 posts and 52 general temporary assistance positions, as indicated in annex III to the present report. The proposed individual peacekeeping operation budgets for 2008-09 envisage continued allocation of the present level of resources in all missions except for the United Nations Organization Mission in the Democratic Republic of the Congo and the United Nations Operation in Côte d'Ivoire, with the justification of additional requirements provided in the proposed budgets for these missions.

67. Chiefs of Conduct and Discipline Units in missions are either at the D-1 or P-5 level, depending on the size of the mission. They provide leadership to the Unit and strategic guidance to the head of mission and senior mission leadership on all conduct and discipline issues. They are responsible for preparing the workplan of the team, and developing measures to raise awareness about United Nations

standards of conduct and prevent personnel misconduct, as well as mechanisms to identify trends in personnel misconduct and ensure compliance with United Nations standards of conduct. They are also responsible for ensuring that a comprehensive training strategy on the prevention of sexual exploitation and abuse is fully implemented. They oversee data management and tracking of all forms of misconduct for all categories of peacekeeping personnel, and liaise with the Office of Internal Oversight Services on allegations and investigations into personnel misconduct. They liaise with the Conduct and Discipline Unit at Headquarters on policy guidance and follow-up cases being investigated. They also coordinate and liaise with other United Nations entities, non-governmental organizations and governmental representatives in the mission area on conduct and discipline issues, including issues related to victim assistance.

68. Conduct and Discipline Officers at the P-4 and P-3 levels are principally responsible for receiving and documenting complaints, providing advice on whether the mission should accept and act on them, as appropriate, gathering information and conducting initial fact-finding through the impartial and independent examination of such complaints. They also provide recommendations on preventative and remedial action to be taken on conduct and discipline issues, liaise with investigators to identify preventative and remedial action required as a result of the investigation, and liaise with individuals and organizations involved in a complaint and the Conduct and Discipline Unit at Headquarters on allegations, investigations and follow-up action relating to personnel misconduct.

69. In addition to case management-related functions, the Conduct and Discipline Officers are also responsible for a variety of other functions. With the exception of those missions with dedicated training capacity (see para. 70 below), the Conduct and Discipline Officers perform the training and capacity-building functions as required by missions. Furthermore, they are responsible for awareness-raising, outreach and coordination activities. They will conduct regular visits to various locations within the mission to assess the status of conduct and discipline, provide advice and guidance to personnel deployed there, conduct briefings and information sessions on the sexual exploitation and abuse policy, establish and maintain contact with the mission's sexual exploitation and abuse focal points, where they exist, as well as with the network of non-governmental organizations and other agencies involved in the area of assistance to victims of sexual exploitation and abuse. Depending on the size of the mission, National Professional Officers will provide additional support, particularly in liaising and coordinating with local partner agencies in the area on awareness-raising and outreach with the local communities.

70. Larger peacekeeping missions (MONUC and UNAMID in particular) include P-4 and P-3 Conduct and Discipline Officers dedicated to providing training on the prevention of sexual exploitation and abuse to all categories of personnel, as well as on conduct and discipline issues in general. The P-4 officers are responsible for the substantive development of training materials, the definition and implementation of the training strategy, while the P-3 officers deliver the training programmes, including "train-the-trainer" programmes. These functions are complemented by National Professional Officers with local knowledge of the country's socio-economic background. In this respect, they provide substantive inputs to the development of training materials locally by field Conduct and Discipline Units and impart training as required to various categories of personnel. In missions with a decentralized Conduct and Discipline Unit structure, such as the United Nations

Operation in Côte d'Ivoire or the United Nations Mission in the Sudan, P-4 and P-3 Conduct and Discipline Officers are outposted in outlying areas and sectors. Their functions encompass receiving complaints, training and outreach. They may be supported by National Professional Officers. This approach enables a more direct presence of Conduct and Discipline Officers in the field, thereby enhancing the ability of each Conduct and Discipline Unit to better advise management and maintain closer contact with local communities, representatives of non-governmental organizations and other agencies present on the ground.

71. The Reports Officer functions are at the P-3 or P-2 level as this position is considered to be more technical in nature and because the Reports Officer will in all cases work under the close supervision of either the Chief or the Deputy Chief of the Conduct and Discipline Units. They are responsible for setting up and maintaining the allegations database and producing regular statistical reports on the basis of which they undertake trend analysis of the status of misconduct in their respective missions.

72. None of the special political missions has a Conduct and Discipline Unit per se, but single Conduct and Discipline Officers. This is due mainly to the fact that these missions usually do not have police or military components and the number of civilian staff is smaller than in peacekeeping operations.

73. Finally, all Conduct and Discipline Units have a variable number of support staff, both international and national, to assist in the management of the database and the translation of documents, and to provide the general administrative and logistical support of the teams.

74. The present report provides justification of staffing levels, functions, and their impact on conduct and discipline for the Conduct and Discipline Unit at Headquarters and Conduct and Discipline Units in the field. Given the commitment and critical importance placed by Member States on combating and addressing misconduct in peacekeeping operations, in particular in respect of sexual exploitation and abuse, my personal commitment and pledge from the outset to achieving a policy of "zero tolerance" and the responsibilities of the Organization as a whole to uphold the highest standards of integrity and respect vis-à-vis the populations the United Nations is mandated to protect, the functions that are currently performed by the Conduct and Discipline Units both at Headquarters and in the field relate to the very core of the Organization's mandate and responsibilities. Without a continued dedicated capacity to address misconduct issues, my Office would not be in a position to confidently assure the membership that all efforts are being made to address these concerns from the field level upwards and that Conduct and Discipline Units have contributed to advancing my agenda in this regard and that the Comprehensive Strategy has started to bear fruit. More needs to be done and constant vigilance is required.

75. Based on the justification in the present report of conduct and discipline staffing levels, functions and their impact on conduct and discipline for the Conduct and Discipline Unit at Headquarters and Conduct and Discipline Teams in the field, it is proposed to convert into posts all general temporary assistance positions at Headquarters and in the field for the budget period 2008-2009, as the functions performed are ongoing and fully integrated into the mandate and operations of the Department of Peacekeeping Operations/Department of Field Support and the missions, and are not to be considered temporary in nature. It is also requested to

approve the use of uniform nomenclature i.e., "Conduct and Discipline Units", for Headquarters and missions.

76. Pending consideration by the General Assembly of the proposals contained in paragraph 75 above and its decisions thereon, the proposed 2008/09 peacekeeping operations support account budget and individual peacekeeping operations budgets, where applicable, include conduct and discipline staffing requirements in accordance with resolution 61/276, section XVI, paragraph 6, in which the General Assembly decided to convert 7 temporary positions at Headquarters and 41 temporary positions in the field into posts and to authorize that the remaining positions in the field be funded from general temporary assistance. In this connection, should the General Assembly approve the proposed conversion of all conduct and discipline general temporary assistance positions to posts, there will be no financial implications for the 2008/09 period for the peacekeeping operations support account or individual peacekeeping missions, where applicable.

VIII. Impact of the Conduct and Discipline Units

77. The foregoing account of the core specific functions performed by the Conduct and Discipline Unit at Headquarters and Conduct and Discipline Units reflects on their role as mechanisms for internal oversight of conduct, discipline and accountability within the Department of Peacekeeping Operations/Department of Field Support and peacekeeping missions. The presence of the Conduct and Discipline Units in the field and the performance of these functions have contributed significantly to progress by the Organization in establishing aspects of a framework of operational policies and procedures that makes for coherent and effective responsive action with respect to misconduct by peacekeepers.

78. As mentioned above, significant progress has been made to bring about systemic changes — the finalization of revisions to the model memorandum of understanding, and victim assistance strategy are in point. While actively involved in deliberations for strengthening criminal accountability of United Nations officials and experts on mission, the legislative bodies are set to consider a framework for provision of minimum levels of welfare and recreation facilities to all categories of peacekeeping personnel and to adopt a common code of conduct for all categories of peacekeeping personnel.

79. Significant headway has been made at the operational level. Establishment of Conduct and Discipline Units is a distinct improvement on former arrangements, when handling of cases of different categories of personnel — being compartmentalized in different structures — was fragmented, ad hoc and piecemeal. In its report entitled, "Oversight lacunae in the United Nations system" (JIU/REP/2006/2, para. 8),[6] the Joint Inspection Unit reiterated the advantages of having such functions consolidated "in a single unit ... reporting directly to the executive head", which included greater flexibility and responsiveness, less overlap and coordination, significant economies of scale and enhanced professionalism. Conduct and Discipline Units, as mechanisms for internal monitoring of conduct and discipline, directly answering to heads of mission and the Department of Peacekeeping Operations/Department of Field Support, have enhanced the ability of

[6] See A/60/860/Add.1.

these heads to take a "holistic approach" to issues of misconduct, and effectively discharge their disciplinary responsibilities.

80. In peacekeeping missions, the more vigorous, coherent and consistent operational activity in disciplinary matters since 2005 appears to have begun to show some signs of improvement. A comparative review of the available records on the total annual number of reports alleging sexual exploitation and abuse as shown in annex I suggests that the strategy may be beginning to bear fruit.

IX. Conclusion

81. The challenge of addressing misconduct arises from a variety of factors such as the circumstances under which missions are launched and operate, the different categories and number of personnel deployed, and their high turnover. The mechanisms in place to address conduct and discipline issues have to work in harmony to ensure both the prevention of misconduct and effective accountability when acts of misconduct are committed. These mechanisms count upon the active ownership by the membership of these issues, including proactive leadership on the ground by military and police commanders at all levels, and the senior civilian leadership in preventing and responding in particular to the problem of sexual exploitation and abuse. The work of Conduct and Discipline Units significantly contributes to the Organization's ability to harness the various mechanisms available to combat impunity for misconduct, in particular, for sexual exploitation and abuse. In the matrix of functions that together constitute peacekeeping, those of Conduct and Discipline Units are of the essence. The Organization needs to continue to make adequate provision for their performance in order to ensure that the trust vested in peacekeepers by Member States and their peoples is not broken.

X. Actions to be taken by the General Assembly at the second resumed part of the sixty-second session

82. **The General Assembly may wish to:**

(a) **Take note of the report;**

(b) **Approve the conversion of general temporary assistance positions to posts for the period 2008-2009, as well as the use of uniform nomenclature as requested in paragraph 75 of the present report.**

Annex I

Number of allegations reported to Conduct and Discipline Unit at Headquarters in 2006/07, for peacekeeping personnel, by type of offence

1 January 2006-31 December 2007

Year	*Type of offence*	*Total number of cases*
2006	Sexual exploitation and sexual abuse*	357
	Category I (not including sexual** exploitation and abuse)	103
	Category II**	343
Total		**803**

Year	*Type of offence*	*Total number of cases*
2007	Sexual exploitation and sexual abuse*	127
	Category I (not including sexual** exploitation and abuse)	112
	Category II**	509
Total		**748**

* As reported to the Office of Internal Oversight Services.
** As reported to Conduct and Discipline Units.

Annex II

Number of allegations reported to Conduct and Discipline Unit at Headquarters in 2006/07, for peacekeeping personnel, by type of offence (excluding sexual exploitation and abuse)

1 January-31 December 2006

Assault	*Threats*	*Traffic-related*	*Fraud/ mismanagement*	*Serious criminal activity*	*Theft*	*Abuse of authority*	*Harassment*	*Conduct-related*	*Institutional infractions*	*Total*
25	0	94	37	14	41	43	38	10	144	**466**

1 January-31 December 2007

Assault	*Threats*	*Traffic-related*	*Fraud/ mismanagement*	*Serious criminal activity*	*Theft*	*Abuse of authority*	*Harassment*	*Conduct-related*	*Institutional infractions*	*Total*
34	6	185	60	19	55	15	31	22	194	**621**

Annex III

Summary of posts and general temporary assistance positions, 2007/08 and 2008/09 at Conduct and Discipline Unit at Headquarters and mission Conduct and Discipline Units

		Headquarters						*UNMIL*						*MONUC*						*MINUSTAH*					
		2007/08			*2008/09*			*2007/08*			*2008/09*			*2007/08*			*2008/09*			*2007/08*			*2008/09*		
Post title	*Level*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*
International staff																									
Chief	D-1	1	1		1	1		1	1		1	1		1	1		1	1							
Chief	P-5																			1	1		1	1	
Deputy Chief/ Senior Conduct and Discipline Officer	P-5	1		1	1		1							1	1		1	1							
Senior Policy Adviser	P-5	1	1		1	1																			
Chief	P-4																								
Conduct and Discipline/ Disciplinary Officer	P-4	3	3		3	3		2	1	1	2	1	1	2	1	1	2	1	1	2	1	1	2	1	1
Policy Officer	P-4	1		1																					
Conduct and Discipline/ Disciplinary Officer	P-3	1	1		3	1	2																		
Operations/ Reports Officer	P-3													2		2	5		5						
Programme Officer	P-3													1	1		1	1							
Associate Reports Officer	P-2	1	1		1	1		1	1		1	1								1	1		1	1	
Associate Outreach Officer	UNV																								
Database Administrator	FS							1		1	1		1	1	1		1	1		1		1	1		1

		Headquarters						UNMIL						MONUC						MINUSTAH					
		2007/08			2008/09			2007/08			2008/09			2007/08			2008/09			2007/08			2008/09		
Post title	*Level*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*
General Service	GS	3	2	1	3	2	1							1		1	1		1						
Subtotal		12	9	3	13	9	4	5	3	2	5	3	2	9	5	4	12	5	7	5	3	2	5	3	2
National staff																									
Conduct and Discipline Officer	NPO							1	1		1	1		2	1	1	2	1	1	1	1		1	1	
Translator	National staff													3	1	2	3	1	2						
Office Assistant/ Driver	National staff							1		1	1		1							1		1	1		1
Subtotal								2	1	1	2	1	1	5	2	3	5	2	3	2	1	1	2	1	1
Total		12	9	3	13	9	4	7	4	3	7	4	3	14	7	7	17	7	10	7	4	3	7	4	3

International staff

Post title	Level	UNAMA* 2007/08 Total	UNAMA* 2007/08 Posts	UNAMA* 2007/08 GTA positions	UNAMA* 2008/09 Total	UNAMA* 2008/09 Posts	UNAMA* 2008/09 GTA positions	UNOCI 2007/08 Total	UNOCI 2007/08 Posts	UNOCI 2007/08 GTA positions	UNOCI 2008/09 Total	UNOCI 2008/09 Posts	UNOCI 2008/09 GTA positions	UNMIS 2007/08 Total	UNMIS 2007/08 Posts	UNMIS 2007/08 GTA positions	UNMIS 2008/09 Total	UNMIS 2008/09 Posts	UNMIS 2008/09 GTA positions	UNMIK 2007/08 Total	UNMIK 2007/08 Posts	UNMIK 2007/08 GTA positions	UNMIK 2008/09 Total	UNMIK 2008/09 Posts	UNMIK 2008/09 GTA positions
Chief	D-1													1	1		1	1							
Chief	P-5							1	1		1	1								1	1		1	1	
Deputy Chief/ Senior Conduct and Discipline Officer	P-5																								
Senior Policy Adviser	P-5																								
Chief	P-4	1		1	1		1																		
Conduct and Discipline/ Disciplinary Officer	P-4							2	1	1	2	1	1	3	2	1	3	2	1	2		2	2		2
Policy Officer	P-4																								
Conduct and Discipline/ Disciplinary Officer	P-3																								
Operations/ Reports Officer	P-3										1		1												
Programme Officer	P-3																								
Associate Reports Officer	P-2							1	1		1	1		1		1	1		1	1		1	1		1
Associate Outreach Officer	UNV																								
Database Administrator	FS							1		1	1		1	2	1	1	2	1	1	1	1		1	1	
General Service	GS																								
Subtotal		1	1	—	1	1	—	5	3	2	6	3	3	7	4	3	7	4	3	5	2	3	5	2	3

		UNAMA*						UNOCI						UNMIS						UNMIK					
		2007/08			2008/09			2007/08			2008/09			2007/08			2008/09			2007/08			2008/09		
Post title	*Level*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*
Conduct and Discipline Officer	NPO							1	1		1	1		2	2		2	2		1	1		1	1	
Translator	National staff																								
Office Assistant/ Driver	National staff							1		1	1		1	1	1		1	1		1		1	1		1
Subtotal		—	—	—	—	—	—	2	1	1	2	1	1	3	3	—	3	3	—	2	1	1	2	1	1
Total		1	1	—	1	1	—	7	4	3	8	4	4	10	7	3	10	7	3	7	3	4	7	3	4

National staff

* Also covers the United Nations Military Observer Group in India and Pakistan.

		UNMEE						UNMIT						MINURSO						UNOMIG					
		2007/08			2008/09			2007/08			2008/09			2007/08			2008/09			2007/08			2008/09		
Post title	*Level*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*
Chief	D-1																								
Chief	P-5	1	1		1	1		1	1		1	1													
Deputy Chief/ Senior Conduct and Discipline Officer	P-5																								
Senior Policy Adviser	P-5																								
Chief	P-4													1	1		1	1		1	1		1	1	
Conduct and Discipline/ Disciplinary Officer	P-4							2	1	1	2	1	1												
Policy Officer	P-4																								
Conduct and Discipline/ Disciplinary Officer	P-3																								
Operations/ Reports Officer	P-3																								
Programme Officer	P-3																								
Associate Reports Officer	P-2							1		1	1		1												
Associate Outreach Officer	UNV							1	1		1	1													
Database Administrator	FS	1		1	1		1	1		1	1		1												
General Service	GS																								
Subtotal		2	1	1	2	1	1	6	3	3	6	3	3	1	1	—	1	1	—	1	1	—	1	1	—

International staff

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		UNMEE						UNMIT						MINURSO						UNOMIG					
		2007/08			2008/09			2007/08			2008/09			2007/08			2008/09			2007/08			2008/09		
Post title	*Level*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*
National staff																									
Conduct and Discipline Officer	NPO							1	1		1	1													
Translator	National staff																								
Office Assistant/ Driver	National staff	1	1		1	1		1	1		1	1		1		1	1		1	1	1		1	1	
Subtotal		1	1	—	1	1	—	2	2	—	2	2	—	1	—	1	1	—	1	1	1	—	1	1	—
Total		3	2	1	3	2	1	8	5	3	8	5	3	2	1	1	2	1	1	2	2	—	2	2	—

		UNIFIL*						UNAMID						MINURCAT						BINUB					
		2007/08			2008/09			2007/08			2008/09			2007/08			2008/09			2007/08			2008/09		
Post title	*Level*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*
International staff																									
Chief	D-1							1	1		1	1													
Chief	P-5	1	1		1	1								1	1		1	1							
Deputy Chief/ Senior Conduct and Discipline Officer	P-5							1	1		1	1													
Senior Policy Adviser	P-5																								
Chief	P-4																			1		1	1		1
Conduct and Discipline/ Disciplinary Officer	P-4	2	1	1	2	1	1	4	4		4	4		1	1										
Policy Officer	P-4																								
Conduct and Discipline/ Disciplinary Officer	P-3																								
Operations/ Reports Officer	P-3							6	3	3	6	3	3												
Programme Officer	P-3																								
Associate Reports Officer	P-2	1		1	1		1							1		1	1		1						
Associate Outreach Officer	UNV																								
Database Administrator	FS	1		1	1		1	3	2	1	3	2	1												
General Service	GS																								
Subtotal		5	2	3	5	2	3	15	11	4	15	11	4	3	2	1	3	2	1	1		1	1		1

		UNIFIL*						UNAMID						MINURCAT						BINUB					
		2007/08			2008/09			2007/08			2008/09			2007/08			2008/09			2007/08			2008/09		
Post title	*Level*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*
Conduct and Discipline Officer	NPO	1	1		1	1		4	1	3	4	1	3	1		1	1		1						
Translator	National staff																								
Office Assistant/ Driver	National staff	1	1		1	1		8	1	7	8	1	7												
Subtotal		2	2	—	2	2	—	12	2	10	12	2	10	1	—	1	1	—	1						
Total		7	4	3	7	4	3	27	13	14	27	13	14	4	2	2	4	2	2	1		1	1		1

National staff

* Also covers the United Nations Disengagement Observer Force, the United Nations Peacekeeping Force in Cyprus, the United Nations Truce Supervision Organization/United Nations Special Coordinator in the Occupied Territories, and the United Nations Logistics Base.

		UNAMI						UNIOSIL						UNMIN						Total					
		2007/08			2008/09			2007/08			2008/09			2007/08			2008/09			2007/08			2008/09		
Post title	Level	Total	Posts	GTA positions	Total	Posts	GTA positions	Total	Posts	GTA positions	Total	Posts	GTA positions	Total	Posts	GTA positions	Total	Posts	GTA positions	Total	Posts	GTA positions	Total	Posts	GTA positions
Chief	D-1																			5	5		5	5	—
Chief	P-5	1		1	1		1	1		1	1		1							9	7	2	9	7	2
Deputy Chief/ Senior Conduct and Discipline Officer	P-5																			3	2	1	3	2	1
Senior Policy Adviser	P-5																			1	1		1	1	
Chief	P-4													1		1	1		1	5	2	3	5	2	3
Conduct and Discipline/ Disciplinary Officer	P-4																			25	16	9	25	16	9
Policy Officer	P-4																			1		1			
Conduct and Discipline/ Disciplinary Officer	P-3																			1	1		3	1	2
Operations/ Reports Officer	P-3																			8	3	5	12	3	9
Programme Officer	P-3																			1	1		1	1	—
Associate Reports Officer	P-2																			9	4	5	9	4	5
Associate Outreach Officer	UNV																			1	1		1	1	
Database Administrator	FS																			13	5	8	13	5	8
General Service	GS																			4	2	2	4	2	2

International staff

		UNAMI						UNIOSIL						UNMIN						Total					
		2007/08			2008/09			2007/08			2008/09			2007/08			2008/09			2007/08			2008/09		
Post title	*Level*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*	*Total*	*Posts*	*GTA positions*
Subtotal		1		1	1		1	1		1	1		1	1		1	1		1	**86**	**50**	**36**	**91**	**50**	**41**
National staff																									
Conduct and Discipline Officer	NPO																			**15**	10	5	**15**	10	5
Translator	National staff																			**3**	1	2	**3**	1	2
Office Assistant/ Driver	National staff																			**18**	6	12	**18**	6	12
Subtotal																				**36**	**17**	**19**	**36**	**17**	**19**
Total		1		1	1		1	1		1	1		1	1		1	1		1	**122**	**67**	**55**	**127**	**67**	**60**

International staff

		Headquarters					
		2007/08			2008/09		
Post Title	*Level*	*Total*	*Posts*	*GTA*	*Total*	*Posts*	*GTA*
Chief	D-1	1	1		1	1	
Senior Conduct and Discipline Officer	P-5	1		1	1		1
Senior Policy Adviser	P-5	1	1		1	1	
Disciplinary Officer	P-4	3	3		3	3	
Policy Officer	P-4	1		1			
Disciplinary Officer	P-3	1	1		3	1	2
Associate Reports Officer	P-2	1	1		1	1	
General Service	GS	3	2	1	3	2	1
Total		**12**	**9**	**3**	**13**	**9**	**4**

Summary 2007/08 for Conduct and Discipline Unit at Headquarters

1 Chief, D-1

1 Senior Conduct and Discipline Officer, P-5

1 Senior Policy Adviser, P-5

3 Disciplinary Officer, P-4

1 Policy Officer, P-4

1 Disciplinary Officer, P-3

1 Associate Reports Officer, P-2

3 General Service

Summary 2007/08 for mission Conduct and Discipline Units

4 Chief, D-1

9 Chief, P-5

2 Deputy Chief, P-5

5 Chief, P-4

22 Conduct and Discipline Officer, P-4

8 Operations/Reports Officer, P-3

1 Programme Officer, P-3

8 Associate Reports Officer, P-2

1 Associate Outreach Officer, United Nations Volunteers

13 Database Administrator, Field Support

1 General Service

15 Conduct and Discipline Officer, National Professional Officer

3 Translator, National staff

18 Office Assistant/Driver, National staff

Summary 2008/09 for Conduct and Discipline Unit at Headquarters

1 Chief, D-1

1 Senior Conduct and Discipline Officer, P-5

1 Senior Policy Adviser, P-5

3 Disciplinary Officer, P-4

3 Disciplinary Officer, P-3

1 Reports Officer, P-2

3 General Service

Summary 2008/09 for mission Conduct and Discipline Units

4 Chief, D-1

9 Chief, P-5

2 Deputy Chief, P-5

5 Chief, P-4

22 Conduct and Discipline Officer, P-4

12 Operations/Reports Officer, P-3

1 Programme Officer, P-3

8 Reports Officer, P-2

1 Associate Outreach Officer, United Nations Volunteers

13 Database Administrator, Field Support

1 General Service

15 Conduct and Discipline Officer, National Professional Officer

3 Translator, National staff

18 Office Assistant/Driver, National staff

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General Assembly
Security Council

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General Assembly
Sixty-second session
Agenda item 20
The situation in the occupied territories of Azerbaijan

Security Council
Sixty-third year

Letter dated 19 March 2008 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the note by the Ministry of Foreign Affairs of the Republic of Azerbaijan addressed to the Ministry of Foreign Affairs of the French Republic, the Ministry of Foreign Affairs of the Russian Federation and the Department of State of the United States of America, the countries co-chairing the Organization for Security and Cooperation in Europe Minsk Group (see annex).

I should be grateful if the present letter and the note were distributed as a document of the General Assembly, under agenda item 20, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

08-28094 (E) 270308

Annex to the letter dated 19 March 2008 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Note dated 19 March 2008 by the Ministry of Foreign Affairs of the Republic of Azerbaijan

The Ministry of Foreign Affairs of the Republic of Azerbaijan presents its compliments to the Ministry of Foreign Affairs of the French Republic, the Ministry of Foreign Affairs of the Russian Federation and the State Department of the United States of America and, with reference to the information published on the official website of the Ministry of Foreign Affairs of the Russian Federation and statements delivered by the Co-Chairmen of the OSCE Minsk Group and their high representatives accredited to Azerbaijan, which interpreted resolution 62/243, entitled "The situation in the occupied territories of Azerbaijan", adopted by the General Assembly on 14 March 2008, as one-sided and non-balanced, claimed that Azerbaijan allegedly rejected the proposals of the Co-Chairmen and failed to insert into the resolution a provision on "definition of status of the Nagorno-Karabakh region through conducting the plebiscite of its population", has the honour to convey the following.

With regard to the allegations that the resolution is one-sided and non-balanced, the Ministry would like to stress that the resolution is built on the principles and norms of international law and relevant resolutions of the United Nations Security Council, which have defined a common denominator for the settlement of the conflict in and around the Nagorno-Karabakh region of Azerbaijan in accordance with the principles of respect for the territorial integrity of Azerbaijan and inadmissibility of unilateral secession from the state boundaries.

Accordingly, General Assembly resolution 62/243 reaffirms the continued respect and support of the Assembly for the sovereignty and territorial integrity of the Republic of Azerbaijan within its internationally recognized borders.

Rightfully, the resolution demands the withdrawal of Armenian troops from all the occupied territories of Azerbaijan, reaffirms the inalienable right of the population expelled from the occupied territories of the Republic of Azerbaijan to return to their homes, and stresses the necessity of creating appropriate conditions for this return, including the comprehensive rehabilitation of the conflict-affected territories.

A subject of extreme importance is the return of the Azerbaijani community to the Nagorno-Karabakh region of Azerbaijan, which is a basic condition for further definition of status of the region.

All the elements cannot be considered as one-sided since they are based on principles and norms of international law, necessary for creating objective conditions for definition of the status of the region, and are in compliance with the concept of the settlement, adherence to which has been stressed by the Co-Chairmen on a number of occasions. These principles of the settlement were completely justifiably introduced into the resolution.

Proceeding from the principles and norms of international law, the Azerbaijani side indicated that the territorial integrity of Azerbaijan, as a basis of the settlement of the conflict, is the only alternative.

It should be stressed that, based on international law, realization of the right to self-determination shall be carried out in accordance with the principle of territorial integrity and must not violate it.

Self-determination shall not be construed or considered as a right to secession since, on the one hand, it shall not undermine territorial integrity and, on the other, secession may not be based on a unilateral decision. The Azerbaijani side has not given its consent for secession of any part of the territory of the Republic of Azerbaijan, including the Nagorno-Karabakh region, and does not and will not give it.

By virtue of the official statements made in the course of the formal meetings in Baku, the Co-Chairmen of the OSCE Minsk Group have expressed their adherence to a solution of the status issue at the level of self-rule within the Republic of Azerbaijan. This, on one side, corresponds to the principle of respect for the territorial integrity of the state and, on the other, is the realization of the mechanism of self-determination.

Namely, this approach was chosen as a basis for the principles of settlement of the conflict declared at the OSCE Lisbon Summit in 1996.

In accordance with the norms and principles of international law, the 1975 Final Act of the Helsinki Conference on Security and Cooperation in Europe, which should form the basis of the Co-Chairs' draft basic principles on settlement of the conflict, and with the assurances made by the mediators to the Azerbaijani side, the adopted resolution included the element of definition of status on the level of self-rule within the Republic of Azerbaijan.

The Ministry would like to respond to the statement by the Co-Chairmen that Azerbaijan should have included in the resolution a reference to the so-called plebiscite, which is allegedly presented as a principle of the settlement. The Co-Chairmen are well aware of the fact that the Azerbaijani side has not given its consent to their proposal on conducting a plebiscite or referendum. Co-Chairs are informed that the Azerbaijani side will not allow conduct of any voting until, firstly, the Azerbaijani community returns to the Nagorno-Karabakh region; secondly, equal conditions are established for participation of both the Azerbaijani and Armenian communities in the legal and democratic process of definition of status; and finally, thirdly, the status of the region shall be considered and enjoy the approval of the entire population of Azerbaijan. Therefore, reference by the Co-Chairs to the proposal on a so-called plebiscite, which was already rejected by the Azerbaijani side as one of the principles of the settlement, as the one that should have been included in the resolution, has no ground.

The Ministry is of the view that the OSCE Minsk Group Co-Chairmen exploit their position of mediators when they introduce the provisions which are contradicting the norms and principles of international law, in particular the principle of territorial integrity of the state, as well as when they make public statements based on false assumptions, which lead the international community astray.

The Azerbaijani side draws attention to the fact that the Co-Chairmen do not propose in their draft basic principles measures for guaranteed complete liberation of all occupied territories of Azerbaijan, return of the Azerbaijani population to the Nagorno-Karabakh region, ensuring equal rights of both communities of the region and solution of the issue of transport corridors with due regard to the necessity of restoring the territorial integrity of Azerbaijan and providing evenly balanced opportunities for the sides to use transport communications. Against this background, the draft basic principles can hardly be considered a balanced package.

The Azerbaijani side has continuously drawn the attention of the Co-Chairs to the shortcomings in the draft basic principles, and on numerous occasions presented its analyses, comments and proposals on the draft.

The statements by Co-Chairs that the Azerbaijani side allegedly did not discuss with them and the Armenian side the draft resolution and did not accept their proposals look somewhat awkward. The Azerbaijani side remembers when in 2006 Azerbaijan, acting in the spirit of compromise, agreed to revise the General Assembly draft resolution submitted under the same agenda item on the issue of fires in the occupied territories of Azerbaijan in order to accommodate the concerns of Armenia. As a result of consultations, at the price of serious compromises on the draft, the consent of the Armenian side was received. Despite this fact, right after adoption of the resolution by the Assembly without a vote, the Armenian side disassociated itself from it. Against this background, what else could have been expected from the Armenian side in the case of the present resolution, which is related to the principled basis of the settlement process? Moreover, the Permanent Representative of Armenia to the United Nations, in his letter distributed in response to the draft resolution submitted by Azerbaijan, indicated that "No amount of editing or collaborating will make it acceptable" to Armenia.

As for the Co-Chairmen, the Azerbaijani side informed them well in advance about the draft resolution being prepared. They had enough information on the essence of the draft. They were aware that the Azerbaijani side, in order to get the support of the Co-Chairs for the draft resolution, was ready to consider their drafting suggestions. The proposals put forward by the Co-Chairs seriously infringed upon the territorial integrity of Azerbaijan and created conditions for consolidating the results of the ethnic cleansing carried out against the Azerbaijani population in the Nagorno-Karabakh region. Azerbaijan informed the Co-Chairs about the unacceptable nature of their proposals, and necessary clarifications were made to that end. Moreover, the Azerbaijani side responded with the maximum possible constructive suggestions, but they were not accepted for unknown reasons, and the draft resolution was put to a vote in the Assembly in its original version.

Against the above-mentioned background created by the Co-Chairmen, under the conditions of deliberate ignorance of the norms and principles of international law by the Co-Chairmen, their attempt to limit it just to a formal short reference in the draft basic principles, within the context of a public campaign launched by the Co-Chairmen with a view to persuading the international community that the draft basic principles are almost agreed, whereas in reality disagreements and contradictions prevail in there, Azerbaijan submitted the draft resolution to the General Assembly and received the Assembly's support and guidance.

Further statements by the Co-Chairmen, which followed the adoption of the resolution, prompted Azerbaijan to respond with this note.

In their search for a solution, the Co-Chairmen overexploited the possibilities for compromise and flexibility, stepping beyond the frameworks of the territorial integrity of the Republic of Azerbaijan and running contrary to international law, whereas compromises should be based on the principles and norms of international law.

The Azerbaijani side demands that the Co-Chairmen stop disseminating information and assessments of the position of Azerbaijan which are contrary to reality.

The Ministry calls on the Co-Chairmen to review the draft basic principles, taking due account of the comments and proposals presented by the Azerbaijani side in January of this year and in accordance with General Assembly resolution 62/243 as well as the present note.

United Nations A/62/760–S/2008/192

General Assembly
Security Council

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General Assembly
Sixty-second session
Item 10
Report of the Peacebuilding Commission

Security Council
Sixty-third year

Letter dated 20 March 2008 from the Chairperson of the Peacebuilding Commission and the Chairperson of the Burundi configuration of the Peacebuilding Commission to the President of the General Assembly, the President of the Security Council and the President of the Economic and Social Council

We have the honour to refer to the conclusions and recommendations of the Peacebuilding Commission on the situation in Burundi (PBC/2/BDI/7) developed by the Burundi configuration of the Peacebuilding Commission.

The Burundi configuration of the Peacebuilding Commission adopted those conclusions and recommendations at its formal meeting, held on 20 March 2008, following the participation of the Chairperson of the Burundi configuration in a meeting of special representatives and special envoys on Burundi convened by the Government of South Africa in Cape Town on 22 and 23 February 2008 to discuss the Programme of Action to Take Further the Burundi Peace Process.

(*Signed*) Yukio **Takasu**
Chairperson
Peacebuilding Commission

(*Signed*) Johan L. **Løvald**
Chairperson
Burundi Configuration
Peacebuilding Commission

08-28119 (E) 260308

United Nations A/62/761

General Assembly

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Sixty-second session
Agenda item 70
Promotion and protection of human rights

Letter dated 19 March 2008 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

Referring to the note verbale dated 17 March 2008 regarding preparation by the Secretary-General of the report to the General Assembly at its sixty-third session on the implementation of resolution 62/149 of 18 December 2007 entitled "Moratorium on the use of the death penalty", and in compliance with paragraph 4 of the resolution, I have the honour to convey to you information on the abolition of the death penalty in the Republic of Uzbekistan as at 1 January 2008 (see annex).

I would appreciate it if you could circulate the attached information as a document of the General Assembly, under agenda item 70.

(*Signed*) Alisher **Vohidov**
Permanent Representative of the Republic of Uzbekistan

08-28307 (E) 280308

Annex to the letter dated 19 March 2008 from the Permanent Representative of Uzbekistan to the United Nations addressed to the Secretary-General

On the abolition of the death penalty in the Republic of Uzbekistan

In accordance with the Decree of the President of the Republic of Uzbekistan on abolition of the death penalty in the Republic of Uzbekistan dated 1 August 2005, the death penalty was abolished in Uzbekistan effective from 1 January 2008.

Capital punishment was replaced by a long prison term or life sentence which can only be applied in the case of two categories of offences: premeditated murder in aggravating circumstances and terrorism. Application of these penalties to women, minors and men over the age of 60 years is prohibited by the law of the country.

For the past more than two years since the above-mentioned Presidential Decree was issued consistent measures have been taken by the relevant ministries and institutions of the country to ensure full implementation of the provisions of the Decree.

Consistent explanatory work has been done to explain to all sections of the population the value of liberalization of the penal system, including the abolition of the death penalty.

The Presidential Decree on additional measures to develop legislative and normative acts required to be adopted in connection with the abolition of the death penalty in the Republic of Uzbekistan adopted on 29 June 2006 contributed to an effective implementation of the necessary measures in this area.

The necessary amendments and additions to the existing national legislative acts have been introduced. In particular, on 29 June 2007 the Senate of the Parliament of the Republic of Uzbekistan adopted the Law on amendments and additions to certain legislative acts of the Republic of Uzbekistan in connection with the abolition of the death penalty. In accordance with this law amendments and additions on the elimination of the death penalty from the criminal justice system and its replacement with a life sentence or prolonged term of imprisonment were introduced to the Criminal Code, the Code of Criminal Procedure and the Code of Criminal Enforcement of the Republic of Uzbekistan.

Uzbekistan has been carrying out cardinal reforms in its legal and judicial spheres aimed at gradual liberalization of the State's penal system. The abolition of the death penalty in the country has become one of the significant results of these reforms.

United Nations A/62/762

General Assembly

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Sixty-second session
Agenda item 140
Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

National professional officers

Report of the Secretary-General

Summary

The present report is submitted in response to the request of the General Assembly in its resolution 61/276, section VII, to review the standards of recruitment for National Professional Officers. The report describes the experience to date in the use of National Professional Officers in United Nations peace operations and provides recommendations for addressing challenges in attracting, recruiting and retaining National Professional Officers in post-conflict environments.

08-28201 (E) 110408

I. Introduction

1. In its report on Administrative and budgetary aspects of the financing of United Nations peacekeeping operations (A/61/852), the Advisory Committee on Administrative and Budgetary Questions welcomed the efforts by the Secretariat to increase the level of national staff in peacekeeping operations as it was cost-effective and one way to build national capacity. The Committee recommended that the General Assembly request the Secretary-General to review the standards for the recruitment of National Professional Officers, so as to ensure that they were locally appropriate and avoided unnecessary barriers, and also to explore ways of enhancing professional development for all categories of national staff. The General Assembly, in its resolution 61/276, section VII, requested the Secretary-General to review the standards for the recruitment of National Professional Officers and to report thereon to the General Assembly at its sixty-second session for its consideration and action.

II. Background

2. In 1980, the International Civil Service Commission (ICSC) decided to permit the use of National Professional Officers for functions in non-headquarters offices which, by their very nature, required national knowledge and experience and so could not be carried out effectively by international Professionals. The ICSC established the following criteria for the use of National Professional Officers in its report for the year 1994 (A/49/30 annex VI), which were adopted by the General Assembly in its resolution 49/223:

(a) The employment of National Professional Officers by a given common system organization should be grounded in a policy framework established by that organization's legislative body. This practice should be set forth in a clearly enunciated policy statement demonstrating its consistency with the organization's operational requirements;

(b) National Professional Officers should be nationals of the country where they are to serve, should be recruited locally and should not be subject to assignment to any duty station outside the home country;

(c) The work performed by National Professional Officers should have a national content. It should be at the Professional level and the same standards of recruitment qualifications and performance as are required for other Professional staff should apply. The functions of all National Professional Officer posts should be justified within the overall efforts of the United Nations system to increase national development and other related categories. National Professional Officers should bring to bear in the job national experience and knowledge of local culture, language traditions and institutions;

(d) Organizations employing National Professional Officers should maintain a balance between international and local Professionals appropriate to their needs, bearing in mind the need to preserve the universal character and the independence of the international civil service;

(e) National Professional Officer posts should be graded on the basis of the Master Standard for the classification of Professional posts (and related Tier II

standards where these have been developed). Their conditions of service should be established in accordance with the principle of the best prevailing conditions in the locality for nationals carrying out functions at the same level, through the application of the National Professional Officer salary survey methodology promulgated by ICSC;

(f) The career prospects of National Professional Officers are necessarily limited, given (i) the continued employment of international staff in senior management positions, (ii) the number of grades in the category and (iii) the fact that the functions they perform may be finite. Organizations should make National Professional Officers aware of these limitations. Within that context, however, organizations should endeavour to develop the potential of National Professional Officers as a matter of sound personnel policy.

3. As indicated in the report of the Secretary-General on the greater use of national staff in field missions (A/58/765), National Professional Officers were first employed in United Nations operations in 1995 in the United Nations Verification Mission in Guatemala (MINUGUA) as human rights officers. Two years later, National Professional Officer positions were established in the United Nations Mission in Bosnia and Herzegovina (UNMIBH) in the Judicial System Assessment Project and later on in the United Nations Interim Administration Mission in Kosovo (UNMIK) in the areas of governance and public administration. With the establishment of the United Nations Assistance Mission in Afghanistan (UNAMA), the use of National Professional Officers was expanded in response to the need for personnel with knowledge of the local culture, language traditions and institutions to support the implementation of the Mission's mandate. The increased use of National Professional Officers also served the goal of strengthening national capacity and development, providing national staff with the opportunity to contribute directly to reconciliation, recovery and reconstruction efforts.

4. The number of National Professional Officer posts in United Nations peace operations has increased by 234 per cent in recent years, from 306 in January 2004 to 1,023 as of 31 December 2007. While missions recognize the value of the role of National Professional Officers in implementing the mission mandate, recruiting them in post-conflict environments within the ICSC framework poses significant challenges. The average vacancy rate for these posts was 38 per cent as of 31 December 2007, as compared with an average vacancy rate of 13 per cent for national staff in the General Service category in field missions.

III. Experiences of field missions

5. United Nations peace operations have taken a number of measures to help address the high vacancy rates among National Professional Officer positions. To attract qualified national candidates living abroad, some missions conducted recruitment campaigns in countries outside the duty station where a high number of nationals reside. Other missions advertised vacancies on websites for nationals living abroad. In addition to advertising in local newspapers, missions that operate United Nations radio stations advertised vacancies through radio broadcasts. Some missions also conducted regional recruitment drives outside the capital city to expand the pool of candidates. A number of missions developed partnerships with United Nations agencies, funds and programmes as well as with local universities

and non-governmental organizations to increase awareness of employment opportunities with the missions and to target women candidates.

6. Despite intensive recruitment efforts, United Nations peace operations invariably encountered difficulties in attracting, recruiting and retaining National Professional Officers in post-conflict environments. While missions' experiences in recruiting National Professional Officers varied in response to the unique conditions prevailing in the mission area, the difficulties could generally be attributed to the following:

- A lack of required academic qualifications
- A lack of required professional work experience
- The inability to verify credentials
- Competition in the local market place for professional skills
- The limitations on the use of National Professional Officers
- A lack of qualified candidates for positions in remote locations

7. To meet the academic requirements for National Professional Officer posts, the candidate must have a minimum of a first level university degree. In some missions, prolonged conflicts had disrupted the educational system for decades, preventing younger generations from obtaining university degrees, while individuals with a university education had often emigrated. In other instances, candidates might have attained university degrees but did not have the required language skills. Difficulties were also experienced in finding candidates with the skills required for specialized or technical fields, for example in the communications field, or with the required expertise in areas such as human rights, rule of law or protection. Missions generally reported difficulty in finding female candidates with the required qualifications and in attracting female candidates to work in fields that were traditionally male-dominated professions in their countries. In the case of Afghanistan, for example, women were prevented from attending school for several years, leading to a shortage of women candidates with the required academic qualifications for National Professional Officer positions. Finding qualified female candidates was particularly difficult in more remote locations outside the capital.

8. Even when National Professional Officer candidates possessed university degrees, prolonged conflicts often led to high unemployment and the closure of private companies and other organizations, thus preventing national candidates from acquiring the number of years of professional experience required under the established classification standards for Professional level posts. In the case of Timor-Leste and Kosovo, for example, where the United Nations acted as an administrative authority, the younger generation had attained university degrees. However, they lacked the required professional experience needed for National Professional Officer positions. Locally recruited General Service staff often obtained university degrees while working with the mission, but were unable to be considered for National Professional Officer posts as their work experience at the General Service level could not be considered as professional experience.

9. Many National Professional Officer candidates claimed that their degrees or certifications had been lost or destroyed as a result of hostilities or relocation. If universities were still functioning, candidates were often able to provide letters of

attestation from the relevant educational institutions confirming their educational qualifications, although in some cases, there may have been concerns as to the reliability of such representations. Where educational institutions had closed or their records been destroyed, there was no possibility of reliably verifying academic qualifications. Difficulties were also experienced in verifying prior professional experience and in obtaining references from former employers that had relocated during a conflict.

10. As National Professional Officers perform functions requiring local experience, are recruited on an exclusively local basis and are not subject to expatriation, the remuneration for National Professional Officers is based on the best prevailing conditions in the locality for nationals carrying out functions at the same level. Mission recruitment efforts often involve outreach to national candidates abroad to encourage the individuals to return to their home country. The success of attracting nationals abroad to apply for National Professional Officer positions was somewhat limited, as the National Professional Officer salaries were not seen as attractive, particularly as compared with salaries earned abroad. Many of the national candidates abroad expected to receive international benefits and rejected offers of appointment with local conditions of service. In certain post-conflict situations, the shortage of skilled candidates in the local job market created considerable competition for professional candidates as national and international companies resumed operations. With a high demand for skilled personnel, professional candidates were able to negotiate higher salaries. Some professionals, such as legal officers, earned more in the private sector. Retention of National Professional Officers could also be a challenge. In some instances, once National Professional Officers had enhanced their skills through experience and training with the mission, they were prone to resign to take up offers from other organizations or in the private sector.

11. The ICSC criteria for the use of National Professional Officers, approved by the General Assembly in its resolution 49/223, require that the work performed by National Professional Officers have a national content, be related to the overall efforts of the United Nations system to increase national development and bring to bear in the job national experience and knowledge of the local culture, language traditions and institutions. When National Professional Officers were initially introduced in United Nations peace operations, the functions performed were limited to those that required national experience and knowledge of local culture, institutions and/or language. As such, National Professional Officers were predominantly employed in the legal, judicial, political affairs, human rights and other substantive fields. In enhancing the efforts of United Nations peace operations to contribute to building national capacity, the use of National Professional Officers was expanded to include administrative and technical areas, particularly where there was a requirement for local knowledge and languages. National Professional Officers are now employed in functions throughout the administrative and logistics fields, including finance, procurement, human resources, information and communications technology, engineering, transport, security, and conduct and discipline. While flexibility has been exercised in the functions for which National Professional Officers are engaged, the locations where National Professional Officers can be employed are limited to those where there is a need to strengthen national development. Accordingly, National Professional Officers have not been

employed at headquarters duty stations such as the United Nations Logistics Base in Brindisi, Italy, or the United Nations Peacekeeping Force in Cyprus in Nicosia.

12. Missions also reported difficulty in filling National Professional Officer posts in more remote locations outside the capital city. Efforts to encourage qualified candidates from one part of the country to take up positions in other parts of the country were often unsuccessful, particularly where regional conflicts existed within the country.

IV. Addressing recruitment challenges

13. Addressing challenges in attracting, recruiting and retaining National Professional Officers for service with United Nations peace operations in post-conflict environments requires a degree of flexibility in applying the recruitment standards, which would enable individual missions to respond to their unique requirements while respecting the integrity of the National Professional Officer programme and the established ICSC criteria.

14. The requirement for a university degree may be difficult to fulfil in specific situations commonly encountered in post-conflict environments where educational institutions have not been functioning for prolonged periods or groups of individuals were prevented from attending university, or where candidates had university degrees that were destroyed or misplaced during hostilities or relocation. In cases where educational institutions have not been functioning for prolonged periods and missions experience difficulty in recruiting National Professional Officers owing to a lack of candidates with a first level university degree, missions should be given the flexibility to develop a consistent practice to address the problem, taking into account the unique challenges at the duty station. Such flexibility measures could include advertising National Professional Officer positions to require a first level university degree or a combination of relevant post-secondary education, experience, training or certification, as appropriate to the functions. Another approach could be to permit the recruitment of National Professional Officers without a degree on the understanding that the individual would obtain a degree within a specific timeframe. In situations where candidates indicate that they possess a first level university education but are unable to produce a degree that was lost or destroyed during hostilities, missions should be given the flexibility to recruit candidates based on the information provided in the personal history profile and should continue to make their best efforts to obtain verification of academic qualifications. As letters of appointment specify that employment is subject to certification of the accuracy of information provided in the personal history profile, if it is subsequently found that a candidate provided false information regarding his/her academic qualifications on the personal history form, employment could be terminated.

15. It can be difficult in post-conflict environments, particularly where conflicts and high unemployment have prevailed for many years, for candidates to meet the standard requirement for the number of years of professional experience needed for National Professional Officer positions. It can also be difficult to verify past work experience when previous employers have relocated. Missions should have the flexibility to recruit National Professional Officers who possess a university degree at the entry level of NO-A without the requirement for any previous professional

experience, on a probationary basis. Moreover, the inability to contact previous employers to verify prior professional experience should not prevent the recruitment of National Professional Officer candidates. Missions should be able to recruit National Professional Officer candidates on the basis of the information provided in their personal history form and to make their best efforts to verify the previous employment. If it is subsequently found that a candidate misrepresented facts on the personal history profile, or if the individual's demonstrated knowledge and/or performance indicate significant weaknesses in professional competence linked to educational credentials or experience claims made, his/her appointment may be terminated as specified in the letter of appointment.

16. Training should also be provided to National Professional Officer candidates where there is a shortage in the local labour market for specific skills, including language skills. To assist with training, the Department of Field Support intends to explore with the United Nations Volunteers Programme the possibility of extending the Transfer of Knowledge Through Expatriate Nationals (TOKTEN) programme to United Nations peace operations. Under the programme, expatriates return to their home country as United Nations Volunteers to contribute their skills and services to their homeland's development in a variety of ways, including training. The Department of Field Support intends to work with the United Nations Volunteers Programme to explore the possibility of using the TOKTEN programme or to develop a similar programme whereby United Nations Volunteers would help to train National Professional Officer candidates in specific areas identified by field missions to meet their individual requirements.

17. Salaries for National Professional Officers are established in accordance with ICSC methodology, which is based on the best prevailing conditions for similar work found locally. While National Professional Officers are by definition locally recruited, it is often necessary to reach out to national candidates with the required skills and education living abroad to encourage them to return to their home countries and take up jobs with the mission. While the local National Professional Officer salary may not be attractive enough to encourage nationals to return to their home countries, it might be feasible to explore the possibility of providing some form of compensation for relocation to the country of nationality, with the requirement that the National Professional Officer serve for a minimum of one year with the mission. Similarly, providing some compensation for relocation of National Professional Officers to take up positions outside the capital may also help to attract staff to serve in more remote regional areas.

18. To further enhance the use of National Professional Officers, it is proposed that the use of National Professional Officers be permitted in United Nations peace operations based in headquarters locations, such as the United Nations Logistics Base in Brindisi, Italy, and the United Nations Peacekeeping Force in Cyprus (UNFICYP) in Nicosia, where the functions require knowledge of the local language or institutions.

19. The use of National Professional Officers in United Nations peace operations will continue to be closely monitored by the Office of Human Resources Management and the Department of Field Support.

V. Conclusions and recommendations

20. The endorsement of the General Assembly is sought for the flexibility measures proposed in the present report and summarized below in an effort to address the current challenges faced by United Nations peace operations in the recruitment of National Professional Officers, as follows:

(a) In situations where educational institutions have not been functioning for prolonged periods and difficulty has been encountered in recruiting National Professional Officers owing to a lack of candidates with a first level university degree, that missions be given the flexibility to develop a consistent practice to address the problem on a temporary basis, taking into account the unique challenges at the duty station.

(b) In situations where National Professional Officer candidates are unable to produce a university degree that was reported lost or destroyed during hostilities or where it has not been possible to verify prior professional experience, that missions be given the flexibility to recruit candidates based on the information provided in the personal history profile while continuing to make their best efforts to obtain verification of academic qualifications and/or prior professional experience.

(c) Where it is difficult to identify National Professional Officer candidates with the required prior professional experience, that missions be given the flexibility to recruit National Professional Officers who possess a university degree at the entry level of NO-A without the requirement for any previous professional experience, on a probationary basis.

(d) That National Professional Officers be employed in United Nations peace operations in non-field locations, such as the United Nations Logistics Base in Brindisi and the United Nations Peacekeeping Force in Cyprus, where the functions require knowledge of the local language or institutions.

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Sixty-second session
Agenda item 11
Elimination of unilateral extraterritorial coercive economic measures as a means of political and economic compulsion

Security Council
Sixty-third year

Letter dated 24 March 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

In my capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, I have the honour to enclose herewith the statement by the Coordinating Bureau of the Non-Aligned Movement on the imposition of unilateral sanctions against the Republic of Belarus, adopted on Thursday, 20 March 2008 (see annex).

Furthermore, I request that the above-mentioned document be circulated as a document of the General Assembly, under agenda item 11, and of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Permanent Representative of Cuba to the United Nations
Chair of the Coordinating Bureau of the Non-Aligned Movement

08-28366 (E) 270308

Annex to the letter dated 24 March 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement by the Coordinating Bureau of the Non-Aligned Movement on the imposition of unilateral sanctions against the Republic of Belarus

20 March 2008

The Coordinating Bureau of the Non-Aligned Movement recalls the Final Document of the fourteenth Summit Conference of Heads of State or Government of the Non-Aligned Movement, in which the solidarity among Non-Aligned Movement countries was explicitly reiterated with regard to unilateral economic sanctions in paragraph 16.4, where the Heads of State or Government agreed to refrain from recognizing, adopting or implementing extraterritorial or unilateral coercive measures or laws, including unilateral economic sanctions, other intimidating measures, and arbitrary travel restrictions, that seek to exert pressure on non-aligned countries — threatening their sovereignty and independence, and their freedom of trade and investment — and prevent them from exercising their right to decide, by their own free will, their own political, economic and social systems, where they constitute flagrant violations of the Charter of the United Nations, international law, the multilateral trading system as well as the norms and principles governing friendly relations among States.

In this context the Coordinating Bureau of the Non-Aligned Movement expresses its grave concern over the decision announced by a United Nations Member State to impose economic sanctions against the Republic of Belarus, a State member of the Movement.

The Non-Aligned Movement reaffirms the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty (resolution 2131 (XX)), the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations (resolution 2625 (XXV)), and the resolution on unilateral economic measures as a means of political and economic coercion against developing countries (62/183).

The Non-Aligned Movement reiterates the need to eliminate the unilateral application of economic and trade measures by one State against another that affect the free flow of international trade. The Movement urges States that have applied and continue to apply such laws and measures to refrain from promulgating and applying them in conformity with their obligations under the Charter of the United Nations and international law, which, inter alia, reaffirm the freedom of trade and navigation.